102-06246/

Ombudsman

Provincial Ombudsman

July, 2002

The Honourable P. Myron Kowalsky
Speaker of the Legislative Assembly
Province of Saskatchewan
Legislative Building
REGINA, Saskatchewan
S4S 0B3

Dear Mr. Speaker:

It is my duty and privilege to submit to you and to the Members of the Legislature, in accordance with the provisions of section 30 of *The Ombudsman and Children's Advocate Act*, the twenty-ninth Annual Report of the Provincial Ombudsman.

Respectfully submitted,

B Tomkins

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OMBUDSMAN

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Not With a Whimper

A year or two ago, a lot of people were good-naturedly discussing whether the new century would actually start January 1, 2000 or January 1, 2001. Well, I think we now know that, for practical and historical purposes, the century started on September 11, 2001. The direct and indirect consequences of the events of that day have affected all of us, including this province and this office. Quite simply, things changed that day.

Complaint numbers continued to grow.

Some things didn't though. Complaint numbers continued to grow. In 2001, we received 2435 complaints against the provincial government, a 4.5% increase over 2000. While the percentage increase is small, these small percentages accumulate. The increase in the last five years, for example, is almost 28%; over ten years, the increase is 50%.

We're getting more investigations done and getting them done faster.

The number of files completed and closed also increased, although the percentage increase is smaller at 2%. Notwithstanding the increases, the time required to complete detailed investigations was reduced by almost 5%. With more complaints coming in, we're nonetheless getting more investigations done and getting them done faster. I'd say that in that sense, we had a pretty good year.

Administratively, our major change came in December 2001 when we welcomed Lynne Fraser to the office as our Human Resource and Financial Administrator. The addition of this position enabled us to centralize all related work with one person and to thereby secure equivalent time from other members of the staff among whom those duties had previously been distributed. Most notable among those, probably, are the Deputies for both Regina and Saskatoon and my Executive Secretary. Their time can now be better directed at work more appropriate to their knowledge and expertise. Lynne's long experience in government, coupled with the generousity and good humour of all involved, rendered the transition a lot smoother than we had anticipated. In this regard, I'd like especially to thank Bernie Rodier, Human Resource and Financial Administrator for the Children's Advocate Office, whose assistance and co-operation was and continues to be above and beyond the call of duty.

Another change came also in December 2001 when Joni Sereda, Deputy Ombudsman for our Saskatoon office, left on a year's deferred leave and Laura Pun moved into the Deputy Ombudsman position pending Joni's return. Laura's transition to the position in what might have been difficult circumstances was seamless, in part due to her diplomacy and in part due to the gracefulness of her staff. My thanks to all of them.

The continuation of the visits to northern communities that had been commenced in 2000 was a significant activity for me in 2001. Together with the Children's Advocate and the Chief Commissioner of the Human Rights Commission, we travelled to Stony Rapids, Fond du Lac, La Loche, Creighton, Sandy Bay and Pelican Narrows. Our meetings were invariably interes'ing and reinforced for me the value that my office might hold for northern residents. These visits, their purpose and their consequences are discussed in detail elsewhere in this report.

The real good that is done is incalculable but unquestionably significant.

However, the real highlight of 2001 - as, in fact, in every year - is the day-to-day work that this office does with individuals and government to secure fair decisions, fair process and the fair resolution of complaints. That's not trite; it's true. The volume and variety of complaints that we consider and resolve is surprising and the real good that is done is incalculable but unquestionably significant. As always, I appreciate the dedication and tenacity of my staff and the good sense and good will of government.

KUDOS CONTINUED

In this report, I have continued my practice of extending the kudos of my office to named individuals in the public service who have made exceptional effort and shown real commitment to the fairness concepts promoted by my office. These kudos will be found scattered in the margins of the report.

All names used in case summaries included in this report are fictitious.

Case Summary

Now You See It, Now You Don't

Donna complained that the Workers' Compensation Board had terminated her benefits for the period from October 1996 to May 1997. Not only that, but when considering her appeal, WCB realized that they had calculated her benefits incorrectly and paid her too much. They said she owed them approximately $48,000! The only good thing was that WCB was not asking her to pay it back. However, any benefits she was entitled to in future would be deducted from the amount owing.

This could not be correct.

In light of this, we initially thought that Donna's complaint was academic. That is, even if she was correct when she said that her benefits shouldn't have been terminated, any money she was entitled to would go straight to the debt. She wouldn't see a penny. Just a minute though - $48,000 seemed incredibly high. We did a rough calculation and figured out that it was almost as much as she had ever been paid; this could not be correct. We asked WCB to recalculate the overpayment.

This was not easy going. First, WCB said the calculation was correct. We asked them to look again. They did but we got the same answer. We tried to calculate it ourselves and were able to get far enough to be sure something was wrong but lacked the expertise to do an accurate calculation. We asked WCB to try again. Sure enough, there was an error. Donna was overpaid only $6,200. This corrected one problem and gave a different perspective to the other. It was no longer moot and we commenced an investigation.

Donna was employed in the food service industry when she developed a dermatitis condition on her hands. It was caused at work and aggravated by work. Different products were suggested to enable Donna to carry on working without the dermatitis getting worse. Finally, a physician suggested that Donna could continue to work if she wore protective gloves. At this point (October 1996), WCB terminated Donna's benefits.

This made sense in light of the physician's opinion but the fact was that Donna tried working with protective gloves and they didn't help. The Board accepted this and reinstated Donna's benefits in May 1997. However, she received no benefits for the eight months. The Board had taken the view that Donna could have worked during that time and until gloves became ineffective but, on reviewing the medical opinions on file, we noted that Donna's condition hadn't changed. When she didn't work, the condition would clear up but it was exacerbated when she returned to work, even using the protective covering. That was true in September 1996, October 1996, May 1997 and June 1997. We suggested that benefits should be reinstated.

The Board reviewed the matter and agreed with our view. Not only did they reinstate Donna for benefits during the challenged period, they also removed the $6200 overpayment. The Board said that it should not have been calculated in the first place.

When Donna came to my office was missing eight months of benefits and owed the Workers' Compensation Board $48,000. When she left, she had her benefits and owed nothing. Not bad.

KUDOS

We appreciate Dr. Mark Vooght, Medical Health Officer, Moose Jaw–Thunder Creek Health District, Moose Jaw, whose thoughtful and proactive approach helped to establish a fair administrative procedure for referrals on cases of suspected child abuse.

National and International Activities

Maintaining relationships with other ombudsman and obtaining the benefit of their experience and support led me to a few gatherings during 2001. In April, my Ontario colleague, Clare Lewis, hosted a three-day meeting of parliamentary Ombudsman in Toronto. Like our fall 2000 Canmore meeting, this was an informal gathering that allowed parliamentary ombudsman the opportunity to share and consult candidly on challenging aspects of our work. I will host a similar meeting in Regina during 2002.

I will host a similar meeting in Regina during 2002.

I continued to participate in the Canadian Ombudsman Association, a national association of ombudsman whose primary purposes are to promote the institution of ombudsman, to encourage collegiality and support among Canadian ombudsman and to develop and offer educational opportunities for ombudsman offices. In that vein, the association hosts conferences and workshops each year. Our 2001 conference was in Quebec.

I saw intelligence, compassion and thoughtfulness that was truly admirable.

It happened, therefore, that I was in Quebec City at the Canadian Ombudsman Association conference when the September 11 tragedy occurred. While I would have preferred to be home, the fellowship and support of and among my colleagues provided a level of comfort that I would not have imagined. I learned a lot about many of them during that time and saw intelligence, compassion and thoughtfulness that was truly admirable. My thanks to them all and especially to Pauline Champoux-Lesage, Le Protectrix des Citoyens du Québec, who managed the unimaginable with great dignity.

In October, I went to Seoul, South Korea for the meeting of the International Ombudsman Institute's Board of Directors, to which I was elected in June 2001. This was quite an experience from both personal and professional perspectives. Our meetings were lengthy and sometimes difficult, especially for the new members who were bombarded with information about unfamiliar issues. However, our tasks were made easier by the incredible and attentive hospitality extended by our hosts. We were honoured to lunch with the Mayor of Seoul, to take tea with the President of South Korea at his official residence and to have supper with the Prime Minister at his official residence. Pretty heady stuff, I must admit.

Pretty heady stuff, I must admit.

Travel such as this is a necessary part of my work. From meeting with others who do similar work, I gain support, advice and sometimes even inspiration. My participation with national and international ombudsman bodies necessarily involves recognition and profile for both Saskatchewan and my office. These are of direct benefit to the office and, ultimately, to government, the public and Saskatchewan's legislators.

KUDOS

Our hats are off to Iva Quigley, Corporate Affairs Director, SaskTel, Regina, who is always willing to listen and to hear. She can be counted on to be flexible and to show good common sense to resolve cases when appropriate.

Case Summary

It's Your Lucky Day !!!

Mike purchased a used Honda Civic through a private sale. He knew that the vehicle had previously been involved in a serious accident and SGI had considered it "totalled". It was then repaired and passed SGI's provincial vehicle inspection program. This inspection was conducted by a garage that was an authorized SGI inspection station.

The vehicle had previously passed the provincial vehicle inspection program.

Several months after the purchase, Mike found out the vehicle might have serious structural damage. He immediately contacted SGI and requested an inspection by a safety officer. Following this inspection, the officer issued a Notice ordering necessary repairs that would cost was over $ 3000! Mike did not believe it was fair that he had to pay for the repairs because the vehicle had previously passed the provincial vehicle inspection program. He thought that the damage should have been identified at the first inspection and if it had been, he wouldn't have bought the vehicle or, at least, wouldn't have paid as much for it.

SGI advised that one of their roles in the administration of the provincial vehicle inspection program is to certify the private and public entities that conduct vehicle inspections. The Corporation provides the inspection stations with inspection standards, together with instructions on how to carry out the inspections. In effect, SGI gives the tools to conduct proper inspections and certifies that the particular inspection station has the qualifications to do them. But beyond that, the corporation is not responsible because any inspection is undertaken by contract between the inspection station and the vehicle owner.

The inspection station's job is to determine whether the vehicle meets minimum mechanical safety standards. If it meets the standards, the inspection station will issue a vehicle inspection certificate.

SGI also pointed out that the scope and standard of the station inspection is vastly different from the inspection conducted by an SGI safety officer. The station inspection determines whether the vehicle meets the minimum mechanical safety standards but does not include a comprehensive inspection of structural components. The primary intent of the safety inspection program is to ensure that a mechanical failure that could lead to a crash is not imminent. The program does not purport to offer an assurance that a vehicle is completely mechanically and structurally sound.

In Mike's case, the Corporation was satisfied that the station's inspection was completed in accordance with appropriate methods and standards and that the frame damage revealed by the safety officer's inspection was beyond the requirements of the station inspection.

The Corporation introduced a two-stage inspection program.

In 2001, the Corporation introduced a two-stage inspection program. Vehicles that have been written-off are now required to pass a body integrity inspection at a certified agency that specializes in repairing this type of damage. This inspection is an addition to the mechanical inspection described above.

Every year my office receives complaints from people whose vehicles have passed safety inspections but who subsequently find damage. And they all think SGI should ante up for the costs. But when you think about it, the corporation's position is quite reasonable. Many agencies license various kinds of activity. In doing so, the agency certifies that the licensee is qualified to do specified work but the agency cannot be responsible if the licensee doesn't do the work or doesn't do it well. In this case, the "licensee" did exactly what it was supposed to do but Mike did not understand the limitations of the inspection.

SGI graciously offered to ante up.

Notwithstanding this, SGI graciously offered to ante up and pay Mike's repair costs. Mike may not have felt very lucky when he found himself in this mess but he was indeed lucky that his insurer was inclined to go the extra mile for him.

All names used in case summaries included in this report are fictitious.

Putting on the Dog

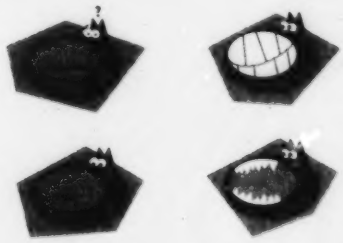
Ombudsman are often referred to as watchdogs - whether of fairness, democracy or government administration. It's a term I've never particularly favoured because it carries a sense of aggression that is not always compatible with the way my office works.

You can bet we'll be aggressive and tenacious.

Don't get me wrong. We're aggressive and tenacious when circumstances require; there are more than a few government employees and complainants who will attest to that. But our role is to promote and encourage fairness in government administration and this is also - or should be - the goal of government and our complainants. Since we're all working toward the same end, our approach is congenial. We're simply gathering information so that we can eventually either confirm that government acted fairly or, if it did not, identify the error and an appropriate resolution. If government accepts our conclusions and makes the appropriate rectification, the matter is amiably concluded. If government declines, however, you can bet we'll be aggressive and tenacious.

So we're the watchdog but if you're nice to us, we're a pretty nice watchdog.

With this is mind, we're pleased to introduce our watchdog, who has been creatively designed out of the stylized "O" of our logo. Like all of us, he can be aggressive, satisfied, puzzled or disappointed. You'll find him looking pretty pleased with himself on the cover of this report. He's illustrated below in his various incarnations and also scattered through the report to illustrate his reaction to the results of some of the cases summarized. In future, you'll see him on some of our promotional and educational materials.



All names used in case summaries included in this report are fictitious.

Minister's Report

Change the Law !!!

Ron hit a deer and totalled his car. He and SGI could not agree on the vehicle's value and so they decided to refer the dispute to arbitration. Ron was not happy with the value that was determined through the arbitration process and asked my office to review the decision. I told him that my office would not re-arbitrate the value of the vehicle but I would review the arbitration process to see if it was fair. Ron was fine with that since he had a few complaints about that too!

Where the insured and SGI cannot agree on the value of a vehicle that has been totalled, *The Automobile Accident Insurance Act* provides a process to settle the dispute. The insured and SGI each select an appraiser and the two appraisers then arrive at a value. If the appraisers do not agree, they are to choose an umpire who will set the value of the vehicle.

SGI appointed one of its staff as its designated appraiser.

In Ron's case, SGI appointed one of its staff as its designated appraiser. I thought that this was not fair. The statute provides an objective process where fresh and objective eyes review and settle the dispute. Appointing a member of SGI's staff defeats that purpose as the opportunity for a fresh or objective determination is diminished or eliminated.

This cannot be what was intended.

SGI was not unsympathetic to my view but felt that the present practice was both convenient and cost effective. While I did not argue this point (it's likely correct), it seemed to me that this was not the legislators' intent. If SGI was correct, it meant that the arbitration panel might be comprised of the very people who were unable to agree in the first place - the insured and SGI. This cannot be what was intended since the statute does not even contemplate that an umpire will always be appointed or necessary. However, under SGI's interpretation and given previously entrenched positions, an umpire would determine virtually all disputes.

I advised the President of SGI that I was contemplating a recommendation that the practice cease. I also suggested that Ron should get an additional $250 by way of compensation. The President accepted neither of my recommendations. He thought the practice, which had been going on for a year or more, was more effective than appointing external appraisers and provided better customer service. He also felt that objectivity was not compromised and noted that often SGI amended its original estimate when they took into account the insured's appraiser's view.

I didn't agree, as the issue of objectivity is one primarily of perspective and even if SGI's appraisers change their estimates occasionally, this does not dispel the perception that the process is not detached from SGI and certainly doesn't dispel that perspective in cases where SGI holds to its original position.

My recommendations were not accepted.

Conflicting legal opinions did not resolve this apparent impasse. I decided to report to the Minister responsible for SGI. I pointed out that the practice was possibly contrary to law and almost certainly unfair, notwithstanding the apparent cost and convenience benefits. The Minister considered my Report and Recommendations but was of the view "... that the current practice serves both the customer and SGI better than it did in the past, and is a positive step in SGI's continual effort to improve its levels of customer satisfaction." My recommendations were not accepted.

I have recently learned that SGI is considering introducing an amendment to *The Automobile Accident Insurance Act* to specifically authorize SGI to appoint one of its staff to act as its appraiser in arbitrations. Perhaps I was not as wrong as some suggested. If the amendment goes ahead, SGI's practice will remain less objective than one might like but it will at least be clearly authorized in law.

KUDOS

Kudos to Tim Shoulak, Secretary to the Highway Traffic Board, Regina, who demonstrated his commitment to fairness and encouraged changes to achieve a fair process for appellants to the Board.

Case Summary

Going the Extra Mile

George called my office when, he said, the actions of Justice officials left him with no money to purchase his basic needs while serving time at a correctional centre. The story George told was rather interesting.

Some time after he was sentenced, George was accepted into the Community Training Residence program. In order to attain the CTR placement, he agreed to attend a self-help program in the morning, be involved in gainful employment in the afternoon and pay rent to the CTR. However, George was found to have a medical condition that prevented him from earning a substantial wage and he fell into arrears in his rent payments. Then, he went UAL (unlawfully at large) from the residence.

George was apprehended six months later and was returned to a correctional centre. He then learned that all the money that had been in his residence bank account when he went UAL had been withdrawn and applied to his rent arrears. George did not dispute he owed the rent but he thought it was unreasonable to have taken all of his money for this purpose. He had no funds to purchase necessities like shampoo and soap. He asked for our help.

He remained very willing to work with George to find a resolution.

My Complaints Analyst contacted the CTR Director. He acknowledged that the funds had been taken to pay the rent owing to the CTR. However, the Director explained that he had recently sent a letter to George advising him that while the funds had been taken from the account, the Director recognized that this might now cause George some difficulties. He indicated that he was prepared to return some funds if George would negotiate a repayment schedule respecting the outstanding rent. The Director did not receive a response to this letter.

The Director did not think it was likely that George wasn't concerned or compromised. He speculated it was more likely that George felt embarrassed to approach him after going UAL from the Residence. He remained very willing to work with George to find a resolution.

My Complaints Analyst then spoke with George and explained the situation. We encouraged him to contact the Director to discuss the matter further. Later we were advised that the parties spoke and arrived at an agreeable repayment schedule.

A genuine commitment to rehabilitation and a respect for the dignity of offenders.

Not only that. The Director put the agreement in writing and took the time to comment on the programming that George was attending in the correctional facility and to encourage George to follow through. The Director's attitude and actions in this case illustrate, I think, a genuine commitment to rehabilitation and a respect for the dignity of offenders that is essential to Corrections' work.

All names used in case summaries included in this report are fictitious.

Minister's Review

I'm Not Sure That The Math is Working

Lisa has cerebral palsy and requires attendant care in order to live and function independently. The Department of Social Services had been paying for this care by including this expense as a need in the calculation of her social assistance entitlement. Lisa came to my office because her social service benefits had been terminated for three months as a result of her receipt of an income tax refund. She said that she couldn't afford her attendant care without some assistance from the department. We agreed to review the circumstances that resulted in this decision.

When we looked into Lisa's circumstances, we confirmed that her benefits were terminated when she received the income tax refund because the amount of the refund exceeded basic needs as calculated by the department. Lisa had appealed the termination to the Local and then to the Provincial Appeal Boards. The Provincial Appeal Board decided that while the income tax refund was income, Lisa's attendant care costs should be considered as an allowable cost. It ordered the department to pay those costs during the period of termination and, in future, to exclude them in the calculation of Lisa's entitlement to social assistance.

This was legally proper in the circumstances.

The Department of Social Services thought the decision went beyond the jurisdiction of the Provincial Appeal Board and asked it to reconsider. Usually, in the absence of statutory authority, a quasi-judicial tribunal cannot rehear or reconsider its decisions. In this instance, the Board obtained independent legal advice which supported the department's view that the Board had exceed its jurisdiction in reaching the decision. If the decision was challenged, it was likely that the decision would be quashed and the Board would be ordered to re-hear the case. That being so, the Board decided to do it without waiting for the challenge. This was legally proper in the circumstances.

Lisa would run a deficit each and every month.

In re-considering, the Provincial Board concluded that attendant care costs could not be excluded from entitlement. This meant that Lisa's entitlement must be calculated by including the actual costs of attendant care among Lisa's basic needs and subtracting any income that she received. If there was a deficit, it would be paid and if a surplus, Lisa would not receive any benefits. While this sounds sensible, it only works if the other benefits paid to Lisa are actual costs and given the welfare scheme they are not; this means that Lisa would run a deficit each and every month and this, she argued, jeopardized her independent living.

While the Provincial Board decided that the method used by department in determining Lisa's entitlement was correct, the Chair of the Board wrote to the Minister expressing concern as to how the entitlement of those who require attendant care is calculated. In response, the Minister issued an order extending the time frame for Lisa's continued receipt of funds to pay her attendant care costs.

The consequences of the status quo would be unfair.

The irony of this complaint is that the Department of Social Services has not paid for attendant care for new clients since 1988. At that time, those who were receiving benefits for that purpose were "grand-fathered" and would continue to receive them. However, such benefits would not be extended to any additional clients; they would be referred to their Health District who had become responsible to assist. Nonetheless, since then, two or three people - including Lisa - were approved for these benefits. The subsequent Ministerial Order was an exception to existing policy and was made in recognition that without this funding, Lisa would not be able to maintain her independent status. While the Minister did not have to make the Order, the consequences of the status quo would be unfair.

I could not conclude that the Provincial Appeal Board acted unfairly or unlawfully in determining how benefits should be calculated in this case since it was clear that the regulations yield no other method of calculation. However, I was concerned by the uncertainty of the situation in that the Minister's order had expired. While the department assured Lisa that payments would continue and while they did continue making the payments, there was nothing obligating the department to make the payments or to give notice if it ceased doing so. I suggested that this situation be rectified.

This order remains in place today.

In response, the Minster issued an order that payments would continue unless and until alternate funding was put in place. This order remains in place today.

KUDOS

A standing ovation for Darcee MacFarlane, Director of Corporate Affairs, SaskTel, Regina, whose actions show consideration, understanding and compassion for her customers and lead to fair resolutions.

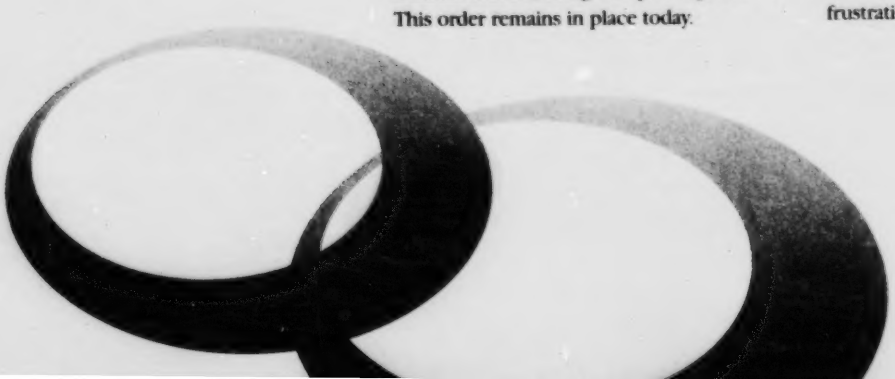
ACR Case Summary

A Win-Win Situation

In 1960, the Court declared Doris to be mentally incompetent and appointed the Public Trustee as her financial guardian. Doris had been living off an inheritance but by the time she was in touch with our office, the fund had been depleted and she was on social assistance. She was concerned about the way her money was managed by the Public Trustee's Office. Doris was frustrated, the issues were mounting and her relationship with the Trust Officer was strained. A family friend acted as Doris' advocate and contacted our office for assistance.

My Ombudsman Assistant queried both parties about the issues. It became clear that the primary issues were communication and trust. Events of the past few months had put a strain on the relationship and each showed scepticism toward the other. We also thought that it would help if the administrative process was explained so that all the parties knew what was happening and what was supposed to be happening. My Ombudsman Assistant canvassed the parties about meeting face-to-face. It was explained that the participants would be given the opportunity to talk about how the issues affected them. The parties, including Doris, her advocate and officials from the Public Trustee's Office were willing and interested in meeting as they felt it would provide the most effective forum for achieving a better level of understanding.

At the meeting, Doris and her advocate learned that the reason for Doris' monthly cheque being delayed was a system-wide computer problem that was a huge frustration for everyone involved. The



KUDOS

A toast to Don Ditson, Manager, Audit and Administration, Post-Secondary Education and Kim Mock, Legislative Contact, Post-Secondary Education, both of Regina, for extra work and willing co-operation to resolve a difficult complaint.

Trust Officer acknowledged the impact on Doris. Doris also heard from the Trust Officer that she takes her work seriously and it is not just a job for her. Doris saw that the Officer cared about her and others who were within her responsibility.

The Public Trustee's Office also provided information about their role and responsibility and explained that their legislation prohibited them from disclosing Doris' personal information - including her finances - to her advocate unless Doris provided written consent. Doris provided that consent and the Trust Officer agreed to accept collect calls from Doris or her advocate or, if more convenient, to communicate via E-mail.

The level of trust between the parties was increased.

The most important result of the meeting was that the level of trust between the parties was increased. There was a better understanding and appreciation of each person's role, especially between the advocate and the Trust Officer. The meeting paved a road for open communication between the parties. That's a win-win situation!

Help Me Out Here Folks! I'm Running Out of Time!

My final term as Saskatchewan's Ombudsman expires mid-2004, about two and a half years from now. I'd like to leave the office on the strongest possible footing and there are certain things that remain to be done if I'm to achieve that. There's not a lot of time remaining and there's a lot to do.

Over my term in this office, I have called for various legislative amendments. I was pleased when, in 2000, many of the housekeeping amendments I had requested were legislated. However, my requests for other amendments remain outstanding.

There's not a lot of time remaining.

In past annual reports, I have called upon the legislators to consider amendments as follows:

- creation of an all-party committee on the Ombudsman;
- Reconsider the term "agency of government";
- provide confidentiality protection for documents issued from my office;
- provide a more practical time frame for tabling my annual report;
- appoint the ombudsman for a fixed, non-renewable term;
- consider the creation of an ombudsman for municipal governments; and
- protect the term "ombudsman" from indiscriminate use.

There are other amendments that would be valuable but which I have not previously mentioned publicly. These are:

- a procedure for investigation when my office is in a position of conflict respecting a complaint;
- a mandatory and expanded public education provision;
- a power to conduct or contract research; and
- a provision specifically authorizing comment and advice on issues of interest.

Let me explain the reasons for these requested amendments and their significance.

All-Party Committee

Any Ombudsman works in relative isolation. This is a direct result of the fact that the Ombudsman is and must be independent of government. While I report - quite properly - to the Legislative Assembly, there is no clear and direct link in the sense that the Legislative Assembly is not an easily or informally accessible body. In these circumstances, it is easy for my little office to become lost, even to those I most directly serve.

On the other hand, my office requires credibility and profile to work most effectively. Our credibility comes from our very independence and from the quality of the work we do. These are my responsibility. I also have the ability to affect our profile to some extent, particularly if I chose to more frequently and/or more spectacularly publicize the critical aspects of our work.

However, our profile would be enhanced more easily and effectively by the visible endorsement of the legislators. The creation of an all-party committee to receive our reports (annual and special) and to consider and pursue issues raised in them would afford us a level of recognition that would be valuable to my office, the legislators and the public.

Our profile would be enhanced by the visible endorsement of the legislators.

This committee might also:

- solicit and consider applications and make recommendation to the legislature respecting the appointment of the Ombudsman;
- consider and make recommendation to the legislature respecting the re-appointment of the Ombudsman;
- consult with the Ombudsman on appropriate matters of administration; and
- receive the Ombudsman's submissions respecting necessary or appropriate amendments to *The Ombudsman and Children's Advocate Act*.

Agency of Government

The definition of "agency of government" is critical to my office because it effectively defines our jurisdiction. The current statutory definition has been unchanged since the legislation was passed in 1972. However, since then, we have witnessed substantive changes in the ways that government delivers service.

New variations in the composition of boards and commissions have been introduced; witness, for example, the part-elected and part-appointed membership of the District Health Boards. Government has engaged in partnerships with non-government agencies and with other governments. Government participates on the Boards of Directors of what might otherwise be considered non-government corporations. Government has contracted work and services that were previously delivered by the civil service.

All of these present dilemmas when considered against the current definition, whether the legislators intended that such agencies be within our jurisdiction or not. While it is my view that the legislation is intended to create jurisdiction over all agencies in which government plays a material role, it would be helpful if our securing jurisdiction were not complicated by this sometimes out-dated definition.

Further, new models for service delivery raise questions that I think require the legislators' consideration. For example, do citizens of Saskatchewan lose their right to an independent review when government contracts for services or partners with others? Should they?

KUDOS

Special mention to David Foley, General Manager, Moose Jaw Housing Authority, Moose Jaw, for his proactive approach and co-operative spirit in resolving a family's difficulty in a manner that will extend fair service and better communication to all of the Authority's tenants.

Should government's contractors be held to the same standards for fairness that bind government? I call upon the Legislative Assembly to consider and resolve these questions.

Confidentiality Protection

An ombudsman's work must be carried out in confidence. Indeed, I and all of my staff are required to swear an oath against disclosing information that comes to our knowledge in the course of our work, except in accordance with certain statutory exceptions. In keeping with the premise of confidentiality, my office is exempt from the application of *The Freedom of Information and Protection of Privacy Act (FOIP)*; we cannot provide information from our files on application under that Act.

There is substantial legal uncertainty.

However, while reports, correspondence and documents prepared in and held or obtained by my office are exempt from disclosure under FOIP, that exemption may be effectively annulled. The fact is that there is substantial legal uncertainty about whether the exemption continues when reports and correspondence are directed from my office to government agencies that are bound by FOIP. If those agencies are required to disclose that information, there is a clear inconsistency that should be remedied. Since confidentiality is an essential component of an effective ombudsman's work, it seems to me that the nature of the required amendment is clear: information and documentation that is exempt in my hands should remain exempt when provided by my office to government.

Time Frame for Tabling Annual Report

Until recently, *The Ombudsman and Children's Advocate Act* provided that my annual report should be tabled within 15 days after the first day of the commencement of the legislative session following the reporting period. Given the time requirements for gathering the necessary information, writing, editing, formatting and printing the report, this guideline was sometimes impossible to meet; I requested an amendment to provide, instead, that the report should be tabled at any time during that legislative session.

In response, the legislative assembly passed an amendment in 2000 that required tabling in accordance with *The Tabling of Documents Act*, which was itself amended. That Act sets out an annually reduced time for tabling.

I am not optimistic that this change will address my initial concern.

Given previous experience, I am not optimistic that this change will address my initial concern unless we consider a substantial change to the manner in which this report is prepared. I am not inclined to make that change as I think that the kind of report that we currently produce is valued by legislators, government and the public. A more bureaucratic and less insightful report will not assist any of them.

The obvious question is how other agencies manage within these time frames and why my office cannot. First, as was alluded above, most reports are prepared by government agencies and have an entirely different structure and purpose that can be achieved without the degree of personal input included in mine. Further, I believe that the independence of my office requires that I determine the most appropriate time to table my reports, provided that they are reasonably timely. Otherwise, I may be forced to compete with the government's agenda. I do not believe that this is appropriate or intended.

I call upon the legislators to reconsider this matter.

Fixed, Non-Renewable Term

Saskatchewan's legislation is not unlike

that of any other province in Canada in providing for the Ombudsman's appointment for a fixed term. In some provinces, the term is indefinitely renewable; in others - like here - the Ombudsman may serve only a limited number of terms.

I am convinced that the office benefits from the current provisions that set the Ombudsman's maximum total term of office at ten years. The legislation allows the Ombudsman a great deal of latitude in approach and emphasis and the new perspective brought by a new ombudsman at ten year (or less) intervals prevents the office from stagnating or becoming entrenched in particular practices and attitudes. In effect, the legislation gives the office an opportunity to renew itself at reasonable intervals.

The practical implications of the provisions, however, can be negative for the office. The Ombudsman is appointed for a five year term, renewable once. As the first term comes toward its close, the incumbent ombudsman is inclined to stand pat in light of the uncertainty about a renewed term. In my personal experience - which I understand mirrors that of my colleagues in other jurisdictions - I continued the "regular" work of the office but was not inclined during that uncertain period to commence new initiatives or to undertake, for example, major projects or investigations. It seemed to me unfair to saddle the new incumbent with initiatives and projects that he or she might not support; resources should be available for the new incumbent to take his or her own steps and identify his or her own projects.

So, for as long as a year before my first term expired, the office was in a sort of holding pattern. Once my term was renewed, there was a corollary delay in implementing plans for the second term. This meant a 12 to 18 month hiatus in certain aspects of the office's work.

The office was in a sort of holding pattern.

This could be avoided if the legislation was changed to appoint the Ombudsman to one fixed, non-renewable eight or ten year term.

An Ombudsman for Municipal Government

My office receives inquiries and complaints about many non-provincial government agencies. We attempt to find appropriate referrals for those callers but sometimes, it is difficult to find those referrals. Two of the most common areas for non-jurisdictional complaints are those against the federal government and municipal governments. In 2001, the number of complaints against these governments were 333 and 135 respectively.

Complaints against federal and municipal governments were 333 and 135 respectively.

The Canadian Ombudsman Association and other interested parties have raised the matter of a federal government ombudsman with federal authorities and the Saskatchewan legislature, of course, can do little about that issue except, perhaps, to offer its support.

KUDOS

Our thanks to Al Herman, Supervisor, Customer Services, SaskPower, Regina, for his willingness to consider customers' circumstances and even bend the rules a bit to give them an opportunity to prove themselves and earn the corporation's trust.

However, the Saskatchewan legislature does have the ability to provide appropriate recourse for those who have concerns and complaints respecting municipal government. Indeed, Manitoba, Nova Scotia and British Columbia have extended their provincial Ombudsman's jurisdiction to include municipal government. Another possibility is a free-standing ombudsman for municipal government. Either way, when 135 people complain to my office when we do not have jurisdiction, we must assume that there are hundreds if not thousands of others who do not call. It would seem that a forum for the independent review of these complaints should be considered.

Protection of the word "Ombudsman"

In my 1999 Annual Report, I spoke about the growing use of the word "ombudsman" to describe a myriad of kinds of complaint resolution offices. I am concerned that the indiscriminate use of the term will water down its meaning and, ultimately, the attractiveness and effectiveness of the institution.

Use of the term "ombudsman" may well become a matter of public interest.

The proliferation that I predicted has begun. In the past year, one government agency proposed to create an "Agency Ombudsman" but changed the title, perhaps due to our intervention. A labour organization proposed to create an "ombudsmun", for a position basically unrelated to the work of an ombudsman. That organization undertook further review in light of our concerns. Finally, a provincial professional society has recently announced the creation of an "ombudsperson", primarily for the caché of the term and with little regard for the nature of an ombudsman's work. Unfortunately, the latter society was not interested in our concerns.

I repeat my call that our legislation be amended to set parameters around the use of the word in this province. Some proposals for providing appropriate protection include simply stating that the title cannot be used except by an ombudsman appointed as such by the Legislative Assembly, by setting out criteria authorizing use of the title or, as is done in one jurisdiction, by requiring the ombudsman to review and authorize use of the title. Of these, my preference is the first.

The proliferation that I predicted has begun.

I realize that this is not a matter of significant concern outside the small community of ombudsman and that it is not one of particular public significance. But I believe that, allowed to continue unchecked, the inappropriate use of the term "ombudsman" may well become a matter of public interest in the not too distant future. And by then, it will be very much more difficult to address.

Conflict of Interest

My office must be scrupulous in both the fact and appearance of objectivity and so we are particularly concerned about possible allegations of conflict of interest. For this reason, we have decided that members of our staff and their families cannot bring complaints to our office. If they did, how could we conceivably hold ourselves out as objective, whatever our

conclusions on the complaint? But the consequence of this is that members of my staff and their families are deprived of a statutory right. And members of the public and government are deprived of the opportunity for improved public administration that those complaints might generate.

Some partners and relatives of members of my staff are public employees. We have not yet received a complaint against any of those partners and relatives but if we do, the appearance of conflict and the consequential spectre of bias are insurmountable.

Members of my staff are deprived of a statutory right.

Finally, some of our staff have previously held positions within the civil service and there is a possibility that a member of the public might complain in respect of an action or decision that my current employee made during his or her former employment.

Current provisions of ***The Ombudsman and Children's Advocate Act*** are not helpful. While I have the authority to delegate most of my powers, I am limited to delegation among my staff. Thus, there is no clear means to remove the investigation of a complaint from this office and therefore, there is no clear means to remove the conflict.

The appearance of bias cannot be addressed.

In some jurisdictions, the Ombudsman has authority to call upon the services of an Ombudsman from another Canadian provincial jurisdiction and that other Ombudsman is provided all the powers and responsibilities of Saskatchewan's ombudsman for purposes of that specific investigation. A provision of this nature would likely be used very infrequently but would afford my staff, their families and some complainants an opportunity to seek an ombudsman review that might currently be denied to them. I think that such an amendment is appropriate.

Public Education

The Ombudsman and Children's Advocate Act provides that I "may become involved in public education for the purpose of informing the public about the powers and duties of the Ombudsman." I believe that public education about the office is essential to our effectiveness and that the legislation should commit to that concept by **requiring** the office to engage in public education. Unless the provision is mandatory, public education becomes expendable in times of tight budgets, high caseloads and other work pressures. This should not be possible.

Public education becomes expendable.

The precise wording of the legislation can be read broadly to include public education about fairness and the principles thereof, conflict resolution, self-help and other matters of public interest. At least, I have interpreted it that way. However, since we focus a great deal of our attention on these aspects of our work, it would be preferable if the section were expanded to specifically address them.

Research

My office engages in research of various kinds virtually on a daily basis in the course of conducting investigations. Occasionally, we undertake more substantial research into various areas of interest. While this is almost certainly in keeping with the duties of the Ombudsman and the nature of our work,

some question can be raised in light of 1994 amendments to *The Ombudsman and Children's Advocate Act*. In particular, those amendments, in creating the Children's Advocate, include a subsection specifically stating that the Children's Advocate may conduct or contract research. The fact that this authority is specifically legislated for the Children's Advocate while silent in respect of the Ombudsman affords an interpretation that research – in-house or contracted – is beyond the authority of the Ombudsman.

While I doubt that this was the intention, it is an interpretation that can and should be dispelled by including a similar provision in respect of the powers and responsibilities of the Ombudsman.

It is an interpretation that can and should be dispelled.

Comment and Advice

Section 20(3) of *The Ombudsman and Children's Advocate Act* provides that the Ombudsman may, at any time during or after an investigation, consult with the minister concerned in the matter under investigation. This has generally been adequate to enable appropriate consultation. However, it fails to enable either my office or government to take full advantage of the unique knowledge of government that is the inevitable result of the work that we do.

We have a unique "fairness lens".

The myriad of complaints that we investigate gives us a particular perspective on government operations and public perceptions. In bureaucratic parlance, we have a unique "fairness lens" through which we can view programs, policies and practices in a way that may not be apparent to others and that may not arise directly from any specific investigation. Section 20(3) can limit our ability to consult in respect to the view through that lens.

The Children's Advocate, in section 12.6(3)(b), is authorized to "advise any minister responsible for services to children on any matter relating to the interests and well-being of children who receive services from any department or agency of the government." A parallel provision authorizing the Ombudsman to advise any minister on any matter relating to the interests of the public would offer my office, government and legislators an opportunity to consider some issues that might otherwise not be brought to their attention or, while brought to their attention, a perspective that might not otherwise be available.

I don't think that there is anything revolutionary in the amendments I have requested.

Conclusion

I don't think that there is anything revolutionary in the amendments I have requested. Some are, admittedly, unique compared to the legislation in other jurisdictions but that simply reaffirms Saskatchewan's usual practice of leading in matters involving democratic rights. None would cause difficult or compromising results. Instead, they would enable my office to move gracefully into the 21st century and to embrace evolving expectations of democratic government.

KUDOS

Deb Jamieson, Supervisor, Customer Services, SaskEnergy, Swift Current, deserves recognition for her willingness to extend extra consideration to a customer to enable the customer to balance her obligations to the corporation and to her family.

All names used in case summaries included in this report are fictitious.

Case Summary

Exceptional Circumstances

Conway was involved in a serious accident 25 years ago. He sustained significant bone and tissue loss to the lower part of his face and underwent reconstructive surgery. Nonetheless, he had no upper palate, a severely cleft lip and only four teeth. In recent years, these teeth had deteriorated and were very painful. Conway was unable to chew his food and consequently experienced weight loss and general health problems. The teeth had to be removed.

Conway sought assessment of his condition from an oral and maxillofacial surgeon. The surgeon indicated to him that due to significant loss of bone and soft tissue, it was impossible to construct a traditional denture prosthesis that would stay in place and be functional. The surgeon recommended bone grafts, osseointegrated implants and special dentures as the only treatment that would help to restore function.

Medical Care Insurance does not provide coverage for dental care.

Conway approached SaskHealth and requested they pay for the procedure and the implants. While provincial health insurance would cover the cost of the reconstructive surgery (essentially creating a palate and jawbone via bone grafting), it would not cover the recommended implants and dentures. The department noted that Medical Care Insurance was not intended to and does not provide coverage for dental care and dental appliances; implants and prostheses are excluded as insured services. Conway felt this was unfair and requested m; assistance.

In reviewing the relevant legislation, I accepted that it clearly supported Health's position with respect to the payment issue for the implant reconstruction. However, from an Ombudsman's perspective, that does not necessarily render the decision fair. My question was whether there was discretion to extend such coverage when the required dental care was a part of medical treatment and medical care. I thought I should find out.

None of them could suggest an alternative treatment plan.

My office contacted the surgeon and requested detailed information about Conway's case. The surgeon confirmed that Conway's report of constant pain in his remaining teeth was well documented and that the pain was severe. He also explained that Conway was already functioning with the "less intrusive treatment" that Health had suggested as an alternative and it had failed. The failure, he said, led to malnutrition, physical wasting, reduction of life and depression. The surgeon sought a second opinion from his colleagues and they were in agreement that the reconstruction would necessitate the dental implants and the implant-retained prosthesis. None of them could suggest an alternative treatment plan that might be effective for Conway.

After receiving the information from the surgeon, I was convinced that Conway's situation was unique and deserved special consideration by Health. I met with senior officials of the department, and provided them copies of the surgeons' correspondence and photographs of Conway. I suggested that Conway's was an extraordinarily severe injury and inquired whether discretion shouldn't be available to enable the department to assist him.

After reviewing the information I provided and making further inquiries, Health officials agreed that Conway's injury and circumstances were exceptional and approved his request that the necessary reconstructive and corrective procedures be accepted as insured services.

All names used in case summaries included in this report are fictitious.

There will occasionally be exceptional situations.

I think I was almost as pleased as Conway. I was pleased that government was willing to listen and to recognize that there will occasionally be exceptional situations that fit the spirit if not the letter of their policies. I was especially pleased that the Health officials tried to find a way to help Conway rather than attempting to support their initial denial. My thanks to them all.

Apologies

In my 2000 Annual Report, I included an Honour Roll showing all members of the public service who had received our kudos during the first five years. Unfortunately, due to a typographical error, two public servants who had received kudos in 1999 were missed completely and three public servants were listed but their department of employment was incorrect.

I am pleased to correct the record.

Our intentions were good and the errors are regrettable. With sincere appreciation for their good work and their generousity in accepting our error, I am pleased to correct the record. The Honour Roll for 1999 should properly include the following:

Valerie Townsend-Fraser
Agriculture and Food, Weyburn

Alan Syhlonyk
Agriculture and Food, Regina

Conrad Olson
Environment and Resource Management, Regina

Wayne Harris
Environment and Resource Management, Swift Current

Don McInnis
Environment and Resource Management, Assiniboia

Case Summary

What's That Smell?

Two inmates wrote to my office in the summer of 2001 complaining about an incident that had occurred at the Regina Correctional Centre (RCC). They had attended a pipe ceremony in the Elder's office. First, they had burned sage and sweet grass for the smudging ceremony. They then started a pipe ceremony and were smoking the pipe when three Corrections Workers interrupted and accused them of smoking marijuana. The Elder denied the allegation and even offered to let the Corrections Workers inspect his medicine bundle. Despite this inspection and assurances by the Elder that the substance being burned was not marijuana, the pipe ceremony was terminated. The inmates felt that the actions taken by the Corrections Workers were disrespectful of both the Elder and the pipe ceremony itself.

The pipe ceremony was terminated.

The inmates involved also wrote to the Minister of Justice, the Director of the RCC and officials within the Federation of Saskatchewan Indian Nations. The Elder was also in contact with the Director of the RCC and requested an explanation for the actions taken by RCC staff. Because the matter was already under review and the parties directly involved were still meeting and working toward solutions, my office deferred its decision whether to initiate a formal investigation.

The parties were able to find a resolution. The Elder and the Director of the RCC agreed that a second Elder would be contacted to provide cultural sensitivity training to RCC staff. Specifically, the second Elder was to provide Aboriginal Spirituality Awareness sessions to address the issue of cultural sensitivity, protocol issues and Aboriginal practices. This was to include an educational component to prevent similar incidents from occurring.

In addition to this educational initiative, managers and supervisors at the RCC and

the Corrections Workers involved in this incident were sent letters by the Director of the RCC, reminding them of the need to be sensitive and respectful of Aboriginal spirituality and cultural practices, as well as protocol in that regard.

An apology had been extended on behalf of the Corrections Workers.

Some months later, we contacted the Elder to see how the cultural awareness training was progressing. He advised that the awareness training for staff at the RCC had begun and he had further meetings scheduled with Corrections officials and representatives throughout the province. He also advised that he had agreed to meet with Corrections representatives on a quarterly basis to discuss issues related to cultural awareness. Further, the Elder advised that an apology had been extended on behalf of the Corrections Workers who had interrupted the pipe ceremony. The Elder considered that the apology plus the actions taken by the Director of the RCC were an appropriate response to the incident.

I was completely prepared to accept this resolution. But I also thought that the two inmates who initially raised this issue with my office should be advised of the actions that had been taken. The Director of the RCC agreed to provide the information by letter to the inmates.

On this basis, my office was able to conclude that Corrections had taken appropriate remedial and preventative action. No further investigation was necessary and our file was closed.

KUDOS

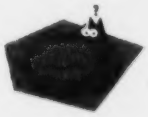
Our compliments to Maxine Andersen, Trust Officer, Public Trustee's Office, Regina, for her willingness to deal openly and thoughtfully with a challenging client and for sincere, non-bureaucratic responses to the client's concerns.

Minister's Review

When its Just Not Fair

Tom lives in a Personal Care Home that is run by Mary. As a person who is reliant on social assistance, Tom receives $85 per month as personal living allowance; this is intended to cover his personal expenses and recreational activities. Tom has friends who live in approved care homes and in 1998, these friends (who are also reliant on social assistance) began receiving a $25 per month recreation allowance. Mary called on behalf of Tom. She thought it was unfair to pay the allowance to residents of some homes but not others.

In the course of investigation, we asked staff at the Department of Social Services their reasons for distinguishing between residents of the different care homes when the recreation allowance was created. They reported that the additional allowance was implemented in conjunction with a new level of care assessment for approved care homes. The allowance was intended to allow adults residing in these homes and reliant on social assistance an opportunity to purchase additional recreational or quality of life activities not provided by or outside of the approved home. The rationale for not providing the allowance to adult residents in other types of placements, such as personal care homes, was that such individuals had sufficient funding directly or indirectly to address recreational needs.



All names used in case summaries included in this report are fictitious.

There did not appear to us to be a basis to distinguish.

While there are differences in the way personal care homes and approved care homes are licensed and compensated for their services, there did not appear to us to be a basis to distinguish between the recreational needs of their residents or the obligations of the operators for funding recreational activities. Tom was no less "needy" in terms of requiring outside activities than his friends who happened to reside in an approved care home and there was no payment made to personal care home operators to address these needs. I concluded that it was unfair to exclude residents of personal care homes from eligibility for this allowance.

The Deputy Minister accepted this recommendation.

I tentatively recommended to the Deputy Minister of Social Services that the $25 monthly special care allowance also be provided to residents of personal care homes who were reliant on social assistance. The Deputy Minister accepted this recommendation and I was extremely pleased when, during 2001, the recreation allowance was extended to Tom and other social assistance-reliant residents of personal care homes.

Case Summary

Pre-Shrunk Cattle?

In the fall of 1998, Tex placed 330 heifers in the Fall Grazing and Wintering Cows and Bulls Program operated by the Department of Agriculture and Food. Tex had agreed to pay $1.15 per animal per day, based upon oral assurances by the pasture manager that the animals would each gain 1.5 pounds per day on average. Upon selling his cattle in the spring of 1999, Tex was disappointed, as the weight gain by the cattle was considerably less than what he had been promised.

Tex said that he lost money as a result and asked the Department to reduce the charges for wintering these cattle. The Department countered that the cattle had been given excellent care and that not one animal was lost over the winter. The Department indicated they were not responsible for his profits or losses on the sale of the cattle, as these were dependent on market conditions at the time of purchase and sale. The Department was of the view that it had met the terms of the contract by providing good quality care for the animals, that the cattle had in fact gained the stated amount and that, in any event, the contract did not promise any particular level of weight gain.

Calculating the cattle's weight gain was not a simple matter.

We concluded that the contract did include an assurance of a 1.5 pound weight gain. However, we quickly learned that calculating the cattle's weight gain was not a simple matter. The Department said that in calculating the weight gain for Tex's cattle, we had to make allowance for the shrinkage prior to the sale. "Shrinkage" refers to the water and feed that is discharged by the cattle

while in the yards; this is more commonly known as manure. The Department pointed out that cattle could lose as much as three pounds per day in shrinkage while in the yards prior to sale. If we accepted the Department's rationale with respect to shrinkage, the weight gain was very close to the 1.5 pounds per day that had been promised.

On the other hand, while Tex did accept that shrinkage would occur, he did not believe it was relevant in his case. He said that when he purchased the cattle, they had been in the yards overnight and thus the weight from the scales was already their shrunk weight. Similarly, when he sold the cattle, the animals had been there for two days and so the weight taken from the scales was again their shrunk weight. Tex argued that both purchase and sale weights were already shrunk weights and therefore no further allowance should be made for shrinkage. Using Tex's approach, the cattle gained considerably less than 1.5 pounds per day.

Shrinkage does occur and is a relevant factor.

Shrinkage of livestock was not an area of expertise for my office. We therefore consulted some industry specialists on the subject, including some at the auction yard that had been involved with the purchase and sale of Tex's cattle. The consensus was that shrinkage does occur and is a relevant factor. However, they supported Tex's view that since the cattle were subjected to the same conditions prior to purchase and sale each time, then shrinkage can be disregarded. As the experts agreed with Tex, it appeared as if his cattle did not gain the weight that had been promised.

Tex should pay based upon the proportional weight gain.

To find a solution to this problem, we again went back to some of the experts in the cattle industry to see what would be fair. It was suggested that since the cattle had been cared for by the Department and did gain some weight, Tex should pay the Department for the service that was rendered and for the weight gain that was realized. We calculated the actual weight gained as compared to the gain promised and suggested that Tex should pay the Department based upon the proportional weight gain.

The Department was receptive to my recommendation. The calculations completed by my office required some initial fine-tuning, but we eventually agreed on a fair and representative calculation. The Department reduced Tex's fee by that amount and Tex paid the balance.

KUDOS

Here's to Marie Gibson, Counsellor, Provincial Mediation Board, Justice, Regina, for her assistance with and interest in a desperate complainant and a difficult complaint.

Budget

The following compared the approved budget for the Provincial Ombudsman for 2001-2002 with the preceding two years:

	1999-00	2000-01	2001-2002
Salaries	$998,000	$1,100,000	$1,225,000
Other Expenses	$330,000	$377,000	$319,000
Total	**$1,328,000**	**$1,477,00**	**$1,544,000**

All names used in case summaries included in this report are fictitious.

Case Summary

An Honest Mistake Corrected

Jim complained to my office that as a result of his following instructions from the Department of Social Services, he had become indebted to Canada Customs and Revenue Agency (CCRA) for almost $1300. Jim believed the department was responsible for this debt but he was denied when he requested reimbursement from the department.

In the course of investigation, we learned that Jim was divorced and had custody of his two daughters. Eventually, the girls left Jim's home and went to live with their mother (Jim's ex-wife), Sally. Sally contacted the department to notify them of the girls' change of residence and to inquire about financial assistance.

A short time later, Jim met with department staff and expressed concerns about the well-being of his children while they were living with Sally. He also thought that the girls' move was likely short-term. As a result of the meeting, Jim agreed to sign a Parental Services Agreement, allowing the department to monitor and supervise the children while they remained in Sally's care. As a condition of the Parental Services Agreement, Jim agreed to provide the Child Tax Benefit cheque (CTB) to the department; it would then pass the cheque to Sally. This arrangement insured that the children would receive the benefit of the CTB but at the same time, recognized that the placement with Sally might be brief. This way, they wouldn't have to change the CTB payee if they were only going to have to change it back again in a few months.

In accordance with the agreement, Jim passed the CTB cheques for September, October and November to the department. The department, in turn, passed the cheques to Sally. When it became apparent that the children's residence with Sally would continue, she was encouraged to apply for the CTB in her own name and Jim agreed to cancel his claim to the CTB.

Problems arose when Sally made application for the CTB. She stated - correctly - that the children had been in her care since late August. Not knowing of the arrangement, however, CCRA paid her CTB retroactive to the date that the children had gone to live with her. And Jim was assessed an overpayment for the same period - almost $1300!

Sally should have repaid the funds.

In the end, Sally had received the funds twice, while Jim in effect did not receive them at all. But he was expected to repay the CCRA. In all fairness, Sally should have repaid the funds but she was not inclined to do so.

Jim was of the view that the arrangement was for the convenience of all concerned but that if it was improper or had negative consequences, the department should be responsible. He therefore felt the department should reimburse him for his loss.

This is contrary to department policy.

I was inclined to agree with Jim. While I realized that the department acted with good intentions and for the possible convenience of Jim, department staff were aware (or should have been) that Jim's receipt of the CTB while the children were not in his care was wholly improper. The result was that, with the department's concurrence and counsel, Jim "received" monies to which he was not entitled. This is contrary to department policy and is, in any event, simply wrong.

In my view, the department knew the rules better than either Jim or Sally. Not only that, the department had the ability to achieve the convenient result in a manner that would not have allowed this problem to develop. Sally was receiving benefits for the children from the department at the relevant time pursuant to the Parental Services Agreements and the department should have directed her to apply for the CTB. In the interim, the department could have advanced her the amount of the CTB in addition to her usual payments and then recovered the advance when the CTB arrived.

KUDOS

We'd like to acknowledge Reni Munro, Client Support Services Assessor, Department of Health, Regina, who helped our complainants navigate the road to subsidized drug costs and gave them a map showing the route to even greater benefits.

In so suggesting, I realize that this would have been inconvenient for all concerned if the girls' stay with Sally had been brief. But in order to avoid that inconvenience, the department participated in a process that was wrong and that exposed Jim to financial risk.

The department had an obligation to resolve this matter.

It seemed to me that the department had an obligation to resolve this matter and that it would be unfair for Jim to be left totally responsible. I therefore recommended that the department reimburse Jim. I was pleased that the Department accepted my recommendation.

It is important to note that the department was well-intentioned throughout. Sometimes it is not until things go wrong that we realize the implications of a particular course of action. However, government must take responsibility for the consequences of its decisions, as the department did in this case.

Northern Communities Initiative

Not unlike those of southern and/or more populous communities, many residents of northern communities live in circumstances of poverty, illness, neglect and abuse. Many rely in varying degrees on government services. However, the resources available to northern residents for coping with such circumstances may differ from those available to their southern counterparts. The isolation of northern communities can, itself, present challenges that those in the south might not comprehend. Our experience suggested that these circumstances might be expected to lead northern residents to our offices yet they appeared to be underrepresented among our complainants. I was concerned that we might not be reaching out to our entire constituency.

We might not be reaching out to our entire constituency.

The Children's Advocate and the Chief Commissioner of the Human Rights Commission shared these concerns. In 2000, therefore, we commenced an initiative to visit a number of northern communities with a view to explaining our respective roles but, more importantly, to listen to residents' concerns about rights, fairness, equality and equity. We were hopeful that we might gain insight into how our offices might provide more effective and more valuable services to these communities.

In my 2000 Annual Report, I described our travel to Beauval and LaLoche and indicated our intention to visit more communities. During two trips in 2001, we visited Stony Rapids, Fond du Lac, Ile-a-la-Crosse, Creighton, Pelican Narrows and Sandy Bay. In each community we held public meetings, met with representatives of community agencies or both.

While these visits have shown me similarities among the communities, I have perhaps been more impressed and challenged by their differences. I am convinced that my office could play a much more active role in northern communities and participate more valuably in their efforts to address their challenges. To that end, it is my intention to undertake the following:

- Have staff members attend more frequently to northern communities and cultivate appropriate opportunities to do so;
- Ensure that when members of my staff travel to northern communities, they attempt to meet with northern stakeholders (i.e. community leaders, program managers, band councillors, chiefs, school officials and government officials) in order to promote continuity of awareness about the office and to develop partnerships with community members; and
- Identify and assess various alternatives for effective service to small, geographically remote communities.

I'm confident that practical answers can be found.

In the long term and after the proposed assessment is complete, we will determine whether and how our work might be retooled to better serve the needs of northern residents. I know that this will require some creative thinking and the careful investment of resources but I also think that those are skills that this office particularly possesses. I'm confident that practical answers can be found.

Case Summary

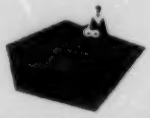
Sometimes You Have to Help Yourself

Fred and Martha called my office complaining they could not afford to purchase the medications that their physicians had prescribed for them. Fred was on EI benefits and looking for work; Martha was under a doctor's care and could not work. Martha was not taking her medication because they simply could not afford to buy it.

Our initial inquiries confirmed that the couple had applied to the Special Support Program of the Department of Health and had been approved for a reduction in the amount they would need to pay for prescription medications. We also learned that Martha's physician had called the Special Support Program on their behalf and was advised that Fred and Martha could write them a letter explaining their financial circumstances and requesting that their situation be reviewed. But they had not done so. Finally, we learned that one of Martha's prescriptions might qualify for Exception Drug Status (and, thereby, reduced cost) if her physician called to request it. But he had not done so.

Our Complaints Analyst spoke with Fred and Martha and explained the importance of sending a letter requesting a review to the Special Support Program. The Complaints Analyst also spoke with Martha's doctor and explained that he could request Exceptional Drug Status for the one prescription.

My Complaints Analyst helped Fred and Martha prepare their letter to the Special Support Program and the physician made the request for Exceptional Drug Status. A few days later, both requests were approved and Martha was able to obtain her prescription!



Minister's Review

Fair is Fair

A long-term employee of the Saskatchewan Transportation Company (STC) complained that he was required to contribute more for his pension than his fellow employees had contributed. He felt this was unfair because he and his fellow employees had their pension benefits calculated in the same manner.

Our investigation of this matter took us back into the history books! The employee, Larry, had commenced employment with STC in the 1970s. At that point, STC administered its own pension plan and the first year of service was not initially considered pensionable. In other words, an employee could not begin contributing to the pension plan until his or her second year of service with STC. However, once the employee started to contribute, he or she "buy back" the first year of service by making the extra contributions over a period of time. Larry had done this by making extra payroll contributions in 1975.

In 1981, the STC pension plan was terminated and all members of that plan were transferred to a new pension plan

All names used in case summaries included in this report are fictitious.

established pursuant to ***The Public Service Superannuation Act*** (PSSA). At the time of transfer, calculations were completed to determine the amount of contributions the STC employees would have been required to contribute under the PSSA if they had contributed under that Act from their first day of employment. Interest was also added. The totals for each STC employee were added and compared to the assets in the old STC plan.

He had paid more for his pension than had co-workers.

It turned out that the assets in the STC plan were greater than the amounts that would have been required under the PSSA. The assets were transferred to the Public Service Superannuation Board and all STC employees thereby were provided pensionable service from their first day of employment. This was so irrespective of whether the employee had purchased the first year of service or not.

Larry (and several other STC employees who had purchased their first year of service) advised that they did not learn about the "extra year" of pensionable service being granted to their co-workers until they attended an informational meeting in 1999. Upon confirming the details, Larry noted that he had, in effect, paid more for his pension than had co-workers who did not purchase their first year of service.

Larry and some of his fellow employees who had also purchased their first year of service approached their union for assistance in resolving this dispute. However, the union was unable to obtain any remedy for them. The administrators of the PSSA noted that amendments to the pension plan had all been authorized in legislation and there was little they could do.

In the course of our investigation we had occasion to speak with staff at the Department of Finance, the Public Employees' Benefit Agency and STC. All appeared to support our conclusion that the manner of converting these pensions resulted in an unintended unfairness to those who had purchased their first year of service. Indeed, since PSSA is a defined benefit plan, the money that Larry (and others) paid for first year of service remains in the Plan and the Plan is thereby unjustly enriched. It was my view that fairness would require that Larry receive a refund of his first year of contributions plus interest. However, the payment of such reimbursement was not authorized in law unless paid under ministerial order.

The Minister agreed that the situation should be rectified.

I approached the Minister of Finance and provided details of the situation. The Minister agreed that the situation should be rectified and issued the order necessary to enable an *ex gratia* payment to Larry and other employees who were similarly situated.

After pursuing this matter for many years, Larry was very pleased that it was finally settled. And he seemed to really like the cheque!

ACR Case Summary

A Failure to Communicate

A failure to communicate properly is frequently the source of problems brought to my office. A clear example was the case of Bill and the problems he was having with his Worker's Compensation Board (WCB) claim. Bill complained that his

KUDOS

A round of applause for Julien Hulet, Acting Deputy Director (Programs), Prince Albert Correctional Centre, Prince Albert, who is accommodating and co-operative to my office and, more important, to inmates.

benefits from WCB had been reduced twice and he didn't understand why. He said that WCB hadn't written or called to tell him what was happening or why. He said he phoned but his calls were not returned. He also said that WCB had changed his status from permanent disability to temporary disability. They had deemed him capable of doing some kind of work and told him that he should be looking.

The parties were giving us entirely contradictory information.

Bill and his family were now living on about $600 a month. Difficult as that was, he was very frustrated in his efforts to find work within his limitations. Some employers were afraid to hire him and others didn't have jobs that he could handle. Bill was afraid that WCB would make him take a job - any job - and he'd be stuck with it regardless of the fit. He just didn't understand why WCB was doing this to him.

Sensing a possible communication problem, my office referred Bill's complaint to Alternate Case Resolution. The Ombudsman Assistant called Bill's Vocational Services Representative, Joe. Joe was pretty frustrated too. He had been working with Bill for about a year. It was Joe's opinion that Bill was not serious about looking for work and in fact had been very unco-operative. Bill wasn't attending meetings, had not kept in touch, and had not responded to letters. Bill's benefits had been cut because he'd been unco-operative and avoided contact.

All names used in case summaries included in this report are fictitious.

Now we knew we were right in flagging this as, at least in part, a communications problem. The parties were giving us entirely contradictory information about the same circumstances! The Ombudsman Assistant facilitated a meeting with both Bill and Joe to discuss the issues of job search, communication and training.

Bill expressed his belief that Joe thought he didn't want to work. Bill assured Joe that he did and discussed the difficulties he had encountered trying to find an employer who would take him on with his injury and consequent work restrictions. He relayed his concern about money.

Joe was able to explain to Bill that he was making a number of assumptions. Joe was willing to help with on-the-job training options, other training, support and special needs; WCB didn't expect Bill to manage these on his own. Joe also put Bill's mind to rest about making him do work that wasn't suitable.

The men were able to talk about the problems they had in communicating with each other and Bill advised Joe that he had recently moved to a small town. This explained the missing letters and introduced some new job search challenges.

At the end of the meeting, communication had been re-established and Bill had a better understanding of his responsibilities while receiving WCB benefits. Joe clearly understood some of the problems that Bill was facing. Joe advised Bill that he would contact the Client Service Representative and his benefits would be reinstated to the previous level. A commitment was made by both Bill and Joe to stay in touch and keep each other better informed.

Who's Got You in Their Pocket?

It's been almost thirty years since Saskatchewan appointed its first Ombudsman but nonetheless, my office and the nature of its work is still not well known or understood by members of the public. Our office provides a service that thousands of people seek each year but which any given individual will require infrequently, if at all. I know, therefore, that a lot of people find us when they need us but I also know that general awareness about the office is not as high as we would like.

KUDOS

Jim Bradshaw, Assistant Deputy Director (Security), Regina Provincial Correctional Centre, Regina, gets the nod for recognizing that security and good order can't be achieved without fairness. He can be counted on to give inmate complaints thoughtful and compassionate consideration.

Most people, I think, know that Saskatchewan has an Ombudsman and that we investigate complaints. However, it becomes apparent very shortly into any conversation that a lot of people know little beyond that. Misconceptions abound.

One of the most prevalent misconceptions is that we are the people's advocate or the citizen's representative. This suggests that it is our role to advocate for our complainants and to seek always a resolution for their complaints. This is simply wrong.

Another common misconception is that we are a government agency and/or that we are somehow beholden to government and cannot be freely critical, even when obviously appropriate. Those who hold this view, therefore, see us as the government's advocate or the government's representative. This, too, is simply wrong.

So, whose advocate are we?

In brief, an Ombudsman is an independent officer of the Legislative Assembly who objectively investigates complaints about administrative acts and decisions of the provincial government and makes recommendations for rectification when unfairness is found. This succinct definition dispels all of the misconceptions described above.

I am not, as some have suggested, "in the government's pocket".

First, the Ombudsman is an independent officer of the Legislative Assembly. This relatively unique status (there are only five legislative officers in Saskatchewan) assures the separation from government that enables me to work independently. I do not and cannot be tempted to curry favour with government because government cannot offer benefits or reprisals that will affect me or my office. The government is not my employer nor does it direct the administration of my office so I am not, as some have suggested, "in the government's pocket". I have my own independent pocket and it's not on the government's coat.

I am not in the citizen's pocket.

So, does that mean that the Ombudsman is the citizen's advocate? I'm afraid not. My role is to ensure that government treats people fairly. People who come to my office invariably suggest that they have been treated unfairly but many - in fact, most - of them have not. To pursue their complaints and secure or even seek resolution in every case would not fulfill my obligations to the legislature, nor would it assist either the government or the public in their desire for good governance. I am not in the citizen's pocket. I have my own independent pocket and it's not on the citizen's coat.

Is the Ombudsman an advocate at all? Absolutely. I have broad powers of investigation that enable me to gather all information relevant to a complaint and to objectively review that information to determine whether or not government has acted unfairly toward my complainant. In so doing, I am guided by the criteria for fairness set out in *The Ombudsman and Children's Advocate Act*. These require me to consider whether government's decision or action was unreasonable, contrary to law, oppressive, improperly discriminatory, unjust, based on a mistake of fact or law or just plain wrong.

If I conclude that the government's decision or action did not contravene any of these criteria, I will conclude that it was fair. But if I find that government acted unfairly, I will so advise and make recommendations to rectify the individual complaint and prevent its recurrence. If the government agency declines to accept my recommendation, I can raise the matter with the Legislative Assembly or by public report or both.

Thus, the Ombudsman is an advocate for fairness. That's what's in my independent pocket and my pocket is very much and always only on my own coat.

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Case Summary

Trust me, You're Wrong

Frank contacted our office to complain that the Maintenance Enforcement Office had over-collected from him; that is, he said that they had collected more than the court orders required.

Frank's situation was a bit complicated. He and his estranged spouse had been separated for many years. Numerous court orders had been made to deal with the question of maintenance payments for their six children. Throughout, children had moved back and forth between their parents thereby affecting the support obligations.

It was obvious that Frank was very angry and felt totally frustrated by his dealings with MEO. Clearly, there was a communication barrier between them and it was growing.

My Complainants Analyst contacted the supervisor at MEO who provided details of their dealings with Frank. MEO was satisfied that the amount they had garnisheed from Frank was correct and that Frank was too emotional to view the matter clearly. However, in our subsequent discussions, Frank explained why he thought the amount taken from him was too great and he provided documentation that appeared to us to support his position.

MEO conceded that it had indeed made an error.

When we shared this information with MEO, it quickly conceded that it had indeed made an error. A refund was issued to Frank immediately.

Top Ten List

In this report, I continue our practice of providing a list of the ten government agencies against whom the most complaints were lodged in the year 2001.

		Number of complaints	2000 standing
1.	**Justice**	772	1
2.	**Social Services**	639	2
3.	**Saskatchewan Government Insurance**	217	3
4.	**Workers' Compensation Board**	159	4
5.	**SaskPower**	143	5
6.	**SaskTel**	79	6
7.	**SaskEnergy**	65	7
8.	**Saskatchewan Legal Aid Commission**	49	New
9.	**Health**	47	9
10.	**District Health Boards**	44	8

Case Summary

What's a Brother For?

Garth contacted our office after SaskTel advised him that he had an unpaid phone bill in excess of $500. This was, he said, a total surprise to him. SaskTel said that the bill related to Garth's service on Main Street over a period of three months. The problem was that Garth denied he had ever had phone service at a residence on Main Street. In fact, he said, he had never lived on Main Street. But he had a pretty good idea who did.

This was a total surprise to me.

Garth told us that his brother Willard had used Garth's name in other circumstances and he had gone to the police to try to have Willard charged. He thought that Willard was probably responsible for the SaskTel bill.

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KUDOS

Barbara Robinson, Income Security Worker, Department of Social Services, Saskatoon, gets our award for extra effort in assisting one of our complainants with his application for social assistance.

We spoke Garth's sister Helen. She confirmed that Willard had resided at the residence on Main Street; she'd driven him there and picked him up there numerous times. She also said that when Willard called her to arrange a ride, her call display showed Garth's name. She'd asked Willard about that and he said it was a SaskTel error.

In addition to the information provided by Helen, my Ombudsman Assistant also received confirmation that Garth had resided with his wife and children at 10 Downing Street for the past several years, including the time that the SaskTel bill accrued at the Main Street house.

We provided our information to SaskTel. They agreed that Garth was not responsible for the debt and transferred it to Willard's account. Right where it should be, it seems.

Case Summary

What a Relief!

Sherry contacted our office when she received a SaskPower billing that included a security deposit of $740.00. She didn't think this was fair and really didn't understand why SaskPower was asking for it.

The second bill included the large security deposit.

Sherry explained that she had lived in Saskatoon for several years and was a SaskPower customer there. Then, she re-located to a town nearby and purchased her own home. She applied for power service there. She admits she was several days late paying her first power bill for the new residence but was nonetheless stunned when the second bill included the large security deposit.

My Complaints Analyst made some inquiries with SaskPower and confirmed that they consider a customer who pays late to be a credit risk and will require a security deposit. However, we also determined that this policy is only applied to new customers, not those who have established a credit history with the corporation. Since Sherry had received service from SaskPower for years in the past and was a good paying customer, it appeared to us that the security deposit policy should not apply.

We shared Sherry's history with the corporation and, after checking, SaskPower realized that they had mistakenly coded Sherry as a new customer. They accepted that she was in fact an old customer with an "A" credit rating. On this basis, the requirement for the security deposit was withdrawn.

Needless to say, Sherry was relieved and thrilled to learn that she wouldn't have to pay the deposit.

ACR Case Summary

Partnership

My office received a call from Tony, a prominent citizen of a northern community, who had been consulted by the Health Director for one of the northern First Nations communities. He told us about Erin, a resident of a First Nation's community, who is 46 years old but, as a result of an acquired brain injury, functions at about the capacity of a two year-old. The Health Director was trying to arrange a psychiatric assessment for Erin but had been told that the Prince Albert Health District would not undertake the assessment because Erin was not resident in their district. Both the health director and Tony were frustrated and felt there was nowhere else to go

KUDOS

Congrats to Laurel Stevens, Customer Service Representative, SaskEnergy, Kindersley, who keeps fairness uppermost in her dealings with clients and is always helpful and courteous to Ombudsman staff.

when they called our office. They were hoping that we could help. The file was referred to my Ombudsman Assistant responsible for Alternate Case Resolution to see if she might be able to negotiate a resolution.

My Ombudsman Assistant learned more of the circumstances that led to the situation. Prior to returning to Saskatchewan, Erin resided at a mental health facility in Manitoba. She was inadvertently discharged and when she couldn't return to the mental health facility, she was returned to the care of her home community Band Office. She was staying with relatives, but they were unable to provide her with the level of care she required. There were concerns about her unprovoked aggressive behaviour and a tendency to leave home and wander around the community. The Band Office had located a long-term bed for her in a Cree-speaking special care home. However, before Erin could even apply for the placement, a psychiatric assessment was required.

There was a sense of urgency.

The Band contacted the Acquired Brain Injury Program to learn whether they might do the assessment but there was a one-year waiting list. The PAHD had already indicated they wouldn't provide the assessment because Erin wasn't a resident of their district. There was a sense of urgency in having the assessment completed but because the community resources were strained, the community had to look elsewhere for help.

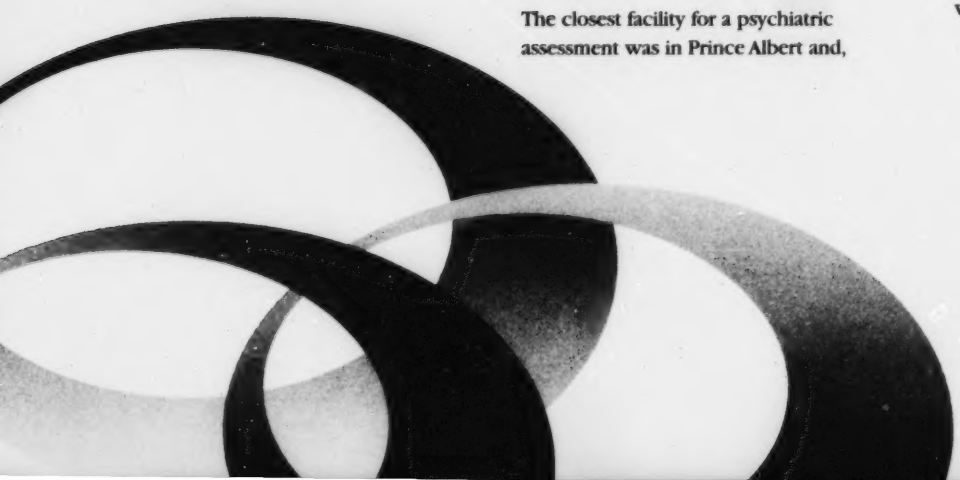
She was given high priority on the waiting list.

The closest facility for a psychiatric assessment was in Prince Albert and, despite the information that they would not provide the service to a non-resident, we started there. Our inquiries revealed that the Health District had an obligation to provide services on all occasions and that it is priority-based. We shared information about Erin's circumstances and, based on that, the District concluded that Erin's was an urgent case; she was given high priority on the waiting list. An appointment was set up for Erin for the following week. In addition, the Health District felt that responsibility for Erin might still lie with the Manitoba Trustee. District staff offered to work with the Band to determine appropriate resources.

The aftermath was that Erin received an initial assessment and this review recommended a psychiatric assessment. As well, senior officials with Saskatchewan Health and Manitoba Health discussed the case. Prince Albert Health District developed a framework plan for Erin in the event that she stayed in Saskatchewan. Manitoba Health indicated that it was prepared to assess Erin and locate a suitable placement in Manitoba.

The director praised Prince Albert Mental Health.

Our final contact with the Community Health Director revealed that they had made great progress. Erin was in the psychiatric unit in a Prince Albert Hospital and would be transferred later that week to a psychiatric unit in Manitoba. The director praised Prince Albert Mental Health for the help and respectful treatment they received. She also thanked our office for what she saw as "really getting things kick-started" for them. We were pleased to have helped.



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Case Summary

The Rippling Roof

Marie complained to my office about problems that she was having under the Residential Rehabilitation Assistance Program (RRAP) - a program administered by Saskatchewan Housing Corporation but shared with the City of Regina which does the administration and inspection of the work. She said that she had contracted for work under the program and was very unhappy with the results. Her approach to government officials was not successful; the officials failed to address her concerns.

The roof has a rippled appearance.

Marie stated that the roofing contractor had replaced only the shingles on her roof, even though she had expressed concerns about the sheathing and had asked him to delay the shingling until she could get an assessment by an inspector. Instead, the contractor completed the shingling without replacing the sheathing. Now the roof has a rippled appearance.

Our investigation confirmed that the completed roofing job was inspected and approved by the RRAP inspector as the roof was considered structurally sound and repairs were in accordance with the original estimates. However, the RRAP inspector acknowledged Marie's complaints about the appearance of the roof. He advised Marie that her options were to accept the roof as it was or have the work re-done and pay 50% of the costs. Marie did not believe she should have to pay to have the work done a second time, especially since she had raised her concerns with the contractor when the work was initially completed.

The Ombudsman Assistant assigned to this file viewed Marie's roof and the rippling appearance was evident. One could debate whether the rippling would affect the functioning of the roof but it certainly would affect the resale value of the home.

The RRAP Program Manager proposed a solution.

The Ombudsman Assistant met with the RRAP Program Manager who proposed a solution. She suggested that Marie obtain opinions from two contractors as to nature of the problems with the roof, the work necessary to fix it and estimates of the cost of necessary repairs. The estimates would then be reviewed by the Manager and a different RRAP inspector. If these opinions differed from the views of the original contractor and the original inspector, the Manager proposed a meeting of herself, Marie, the Inspector and our Ombudsman Assistant to discuss the repairs needed and whether and how the cost of those repairs might be available under the program.

Marie obtained the two opinions and RRAP officials re-inspected the roof. They agreed that additional work was in order. At the meeting that the Manager had proposed in these circumstances, agreement was reached as to how Marie could have the repairs done with assistance through the program.

Marie thought that the meeting and the agreement were a fair resolution to her initial complaint. The Manger's proposal illustrated a willingness by SaskHousing to reconsider its original position and find an acceptable resolution. On the other hand, one wonders why the solution wasn't considered in Marie's many contacts with SaskHousing before she approached my office.

We're Here For You

Please contact us to lodge a complaint, obtain printed information, request a presentation or just to learn more about the Office of the Provincial Ombudsman. You can phone, fax, write or e-mail as follows:

Our Regina Office:
150 - 2401 Saskatchewan Drive
Regina S4P 3V7

Phone: (306) 787-6211
Toll Free: 1-800-667-7180
Fax: (306) 787-9090
ombreg.omb@govmail.gov.sk.ca

Our Saskatoon Office:
315 - 25th Street East
Saskatoon S7K 2H6

Phone: (306) 933-5500
Toll Free: 1-800-667-9787
Fax: (306) 933-8406
ombsktn.omb@govmail.gov.sk.ca

STATISTICS

Complaints RECEIVED Against Saskatchewan Departments, Boards, Commissions, Crown Corporations, and Agencies - 2001

Departments, Boards, Commissions, Crown Corporations, and Agencies	2001 Total	2000 Total
Departments		
Agriculture & Food		
General	6	5
Inspection & Regulatory Management Branch	0	6
Lands Branch	5	2
Education		
General	6	5
Energy & Mines	1	1
Environment & Resource Management		
General	16	16
Enforcement & Compliance Branch	0	1
Environment Assessment Branch	0	2
Environmental Protection Branch	0	2
Fish & Wildlife Branch	0	3
Finance		
General	7	2
Public Employees' Benefits Agency	6	6
Revenue Division	0	5
Saskatchewan Pension Plan	0	1
Health		
General	27	9
Acute & Emergency Services Branch	0	2
Community Care Branch	5	10
Drug Plan & Extended Health Benefits Branch	15	10
Medical Services & Health Registration Branch	0	7
Provincial Laboratory Services	0	1
Vital Statistics Branch	0	2
Highways & Transportation		
General	13	6
Operations Division	0	3
Intergovernmental & Aboriginal Affairs	0	2

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Departments, Boards, Commissions, Crown Corporations, and Agencies	2001 Total	2000 Total
Departments		
Justice		
General	9	8
Consumer Protection Branch	4	1
Coroner's Office Branch	1	2
Corporations Branch	1	4
Corrections Division		
General	8	5
Battlefords Community Correctional Centre	3	3
Community Operations Branch - Probation	8	10
Community Training Residences (CTR)	7	20
Northern Region (Besnard Lake, Buffalo Narrows, Waden Bay)	10	8
Pine Grove Correctional Centre	60	55
Prince Albert Correctional Centre	124	120
Prince Albert Healing Lodge	2	4
Regina Correctional Centre	180	182
Saskatoon Correctional Centre	230	196
Court Services Branch	11	16
Land Titles	3	4
Maintenance Enforcement Branch	71	86
Mediation Services Branch	0	1
Public Prosecutions	0	2
Public Trustee	18	11
Rentalsman/Provincial Mediation Board	22	20
Victims Services Branch	0	1
Labour		
Labour Relations & Mediation Division	0	3
Labour Standards Branch	12	10
Occupational Health & Safety Division	2	2
Office of the Worker's Advocate	1	1
Municipal Affairs & Housing		
General	7	9
Housing Division	5	2
Municipal and Community Services Division	0	1
Protection & Emergency Services Division	0	1
Post-Secondary Education & Skills Training		
General	8	8
Institutions Branch	0	1
Provincial Training Allowance	1	3
Student Financial Assistance Branch	25	17
Training & Development Programs Unit	1	4

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Lands Branch	5	2
Education		
General	6	5
Energy & Mines	1	1
Environment & Resource Management		
General	16	16
Enforcement & Compliance Branch	0	1
Environment Assessment Branch	0	2
Environmental Protection Branch	0	2
Fish & Wildlife Branch	0	3
Finance		
General	7	2
Public Employees' Benefits Agency	6	6
Revenue Division	0	5
Saskatchewan Pension Plan	0	1
Health		
General	27	9
Acute & Emergency Services Branch	0	2
Community Care Branch	5	10
Drug Plan & Extended Health Benefits Branch	15	10
Medical Services & Health Registration Branch	0	7
Provincial Laboratory Services	0	1
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Operations Division	0	3
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Consumer Protection Branch	4	1
Coroner's Office Branch	1	2
Corporations Branch	1	4
Corrections Division		
General	8	5
Battlefords Community Correctional Centre	3	3
Community Operations Branch - Probation	8	10
Community Training Residences (CTR)	7	20
Northern Region (Besnard Lake, Buffalo Narrows, Waden Bay)	10	8
Pine Grove Correctional Centre	60	55
Prince Albert Correctional Centre	124	120
Prince Albert Healing Lodge	2	4
Regina Correctional Centre	180	182
Saskatoon Correctional Centre	230	196
Court Services Branch	11	16
Land Titles	3	4
Maintenance Enforcement Branch	71	86
Mediation Services Branch	0	1
Public Prosecutions	0	2
Public Trustee	18	11
Rentalsman/Provincial Mediation Board	22	20
Victims Services Branch	0	1
Labour		
Labour Relations & Mediation Division	0	3
Labour Standards Branch	12	10
Occupational Health & Safety Division	2	2
Office of the Worker's Advocate	1	1
Municipal Affairs & Housing		
General	7	9
Housing Division	5	2
Municipal and Community Services Division	0	1
Protection & Emergency Services Division	0	1
Post-Secondary Education & Skills Training		
General	8	8
Institutions Branch	0	1
Provincial Training Allowance	1	3
Student Financial Assistance Branch	25	17
Training & Development Programs Unit	1	4

Complaints RECEIVED Against Saskatchewan Departments, Boards, Commissions, Crown Corporations, and Agencies - 2001

Departments, Boards, Commissions, Crown Corporations, and Agencies	2001 Total	2000 Total
Departments		
Social Services		
General	4	2
Adoption Branch	0	2
Building Independence Program	14	24
Child Day Care Division	2	3
Community Living Division	2	3
Family & Youth Services Division	32	50
Income Security Division	584	470
Young Offenders Program Branch	1	3
Boards		
Adjudicator - Saskatchewan	2	0
District Health Boards		
Assiniboine Valley District Health Board	1	0
Battlefords District Health Board	7	10
East Central District Health Board	1	1
Living Sky District Health Board	0	2
Lloydminster District Health Board	0	1
Mamawetan-Churchill District Health Board	1	0
Melfort North Central District Health Board	3	0
Moose Jaw-Thunder Creek District Health Board	1	1
North-East District Health Board	0	2
Pipestone District Health Board	1	2
Prince Albert District Health Board	2	0
Regina District Health Board	9	14
Rolling Hills District Health Board	0	1
Saskatoon District Health Board	14	7
South Central District Health Board	0	1
South East District Health Board	0	1
Swift Current District Health Board	2	0
Weyburn District Health Board	1	0
Yorkton District Health Board	1	0
Farm Land Security Board	1	0
Highway Traffic Board	6	4
Labour Relations Board	1	0
Lands Appeal Board	1	0

Complaints RECEIVED Against Saskatchewan Departments, Boards, Commissions, Crown Corporations, and Agencies - 2001

Departments, Boards, Commissions, Crown Corporations, and Agencies	2001 Total	2000 Total
Boards		
Municipal Housing Authority		
General	1	4
Beauval Housing Authority	1	0
Beaver River Housing Authority	0	1
Creighton Housing Authority	1	0
Cumberland House Housing Authority	2	2
Dundurn Housing Authority	1	1
Humboldt Housing Authority	1	0
La Loche Housing Authority	14	6
Melville Housing Authority	2	0
Moose Jaw Housing Authority	1	0
Prince Albert Housing Authority	3	1
Regina Housing Authority	0	3
Sandy Bay Housing Authority	2	0
Saskatoon Housing Authority	5	3
Rates Appeal Board	0	1
Saskatchewan Arts Board	0	2
Saskatchewan Municipal Board		
Assessment Appeals Committee	0	5
Social Services Appeal Board	12	12
Water Appeal Board	1	1
Workers' Compensation Board	159	164
Commissions		
Public Service Commission	3	3
Saskatchewan Human Rights Commission	7	6
Saskatchewan Legal Aid Commission	49	31
Saskatchewan Securities Commission	0	1
Teachers' Supperannuation Commission	2	0

Complaints RECEIVED Against Saskatchewan Departments, Boards, Commissions, Crown Corporations, and Agencies - 2001

Departments, Boards, Commissions, Crown Corporations, and Agencies	2001 Total	2000 Total
Departments		
Social Services		
General	4	2
Adoption Branch	0	2
Building Independence Program	14	24
Child Day Care Division	2	3
Community Living Division	2	3
Family & Youth Services Division	32	50
Income Security Division	584	470
Young Offenders Program Branch	1	3
Boards		
Adjudicator - Saskatchewan	2	0
District Health Boards		
Assiniboine Valley District Health Board	1	0
Battlefords District Health Board	7	10
East Central District Health Board	1	1
Living Sky District Health Board	0	2
Lloydminster District Health Board	0	1
Mamawetan-Churchill District Health Board	1	0
Melfort North Central District Health Board	3	0
Moose Jaw-Thunder Creek District Health Board	1	1
North-East District Health Board	0	2
Pipestone District Health Board	1	2
Prince Albert District Health Board	2	0
Regina District Health Board	9	14
Rolling Hills District Health Board	0	1
Saskatoon District Health Board	14	7
South Central District Health Board	0	1
South East District Health Board	0	1
Swift Current District Health Board	2	0
Weyburn District Health Board	1	0
Yorkton District Health Board	1	0
Farm Land Security Board	1	0
Highway Traffic Board	6	4
Labour Relations Board	1	0
Lands Appeal Board	1	0

Complaints RECEIVED Against Saskatchewan Departments, Boards, Commissions, Crown Corporations, and Agencies - 2001

Departments, Boards, Commissions, Crown Corporations, and Agencies	2001 Total	2000 Total
Boards		
Municipal Housing Authority		
General	1	4
Beauval Housing Authority	1	0
Beaver River Housing Authority	0	1
Creighton Housing Authority	1	0
Cumberland House Housing Authority	2	2
Dundurn Housing Authority	1	1
Humboldt Housing Authority	1	0
La Loche Housing Authority	14	6
Melville Housing Authority	2	0
Moose Jaw Housing Authority	1	0
Prince Albert Housing Authority	3	1
Regina Housing Authority	0	3
Sandy Bay Housing Authority	2	0
Saskatoon Housing Authority	5	3
Rates Appeal Board	0	1
Saskatchewan Arts Board	0	2
Saskatchewan Municipal Board		
Assessment Appeals Committee	0	5
Social Services Appeal Board	12	12
Water Appeal Board	1	1
Workers' Compensation Board	159	164
Commissions		
Public Service Commission	3	3
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Saskatchewan Securities Commission	0	1
Teachers' Supperannuation Commission	2	0

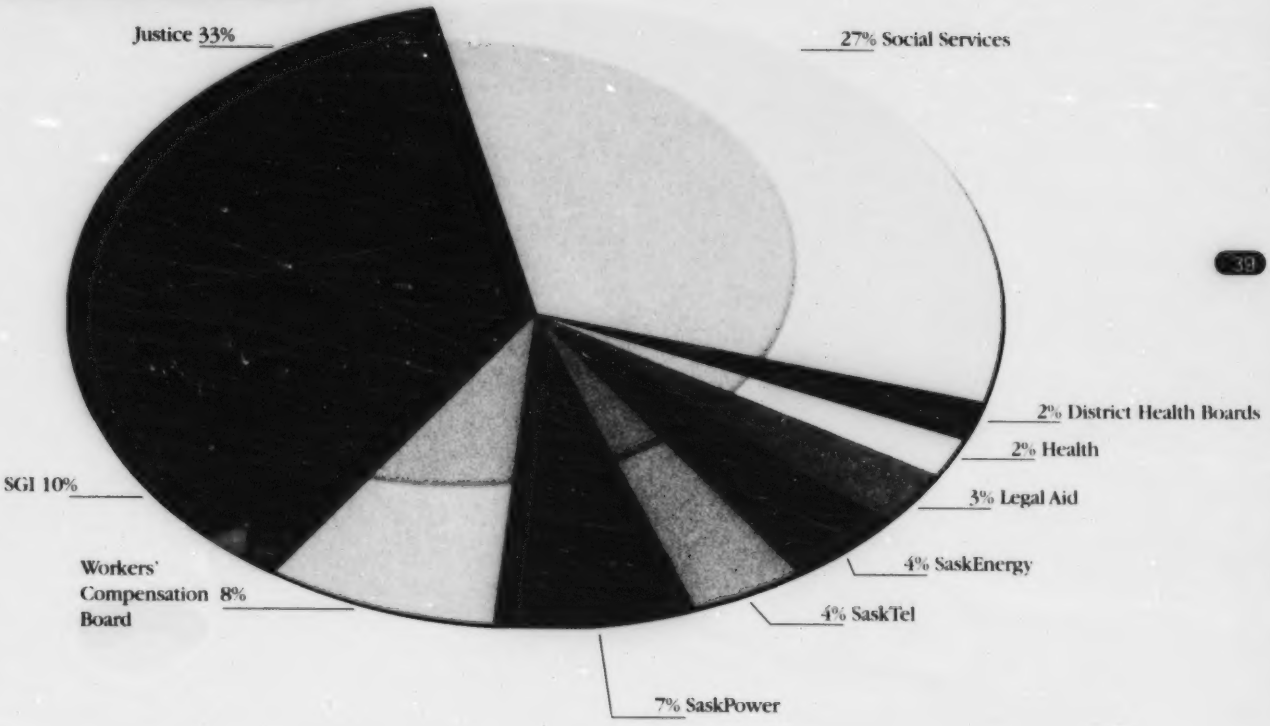
Complaints RECEIVED Against Saskatchewan Departments, Boards, Commissions, Crown Corporations, and Agencies - 2001

Departments, Boards, Commissions, Crown Corporations, and Agencies	2001 Total	2000 Total
Crown Corporations		
Agricultural Credit Corporation of Saskatchewan	1	2
Crown Investment Corporation	1	0
New Careers Corporation	1	1
Saskatchewan Economic Development Corporation	0	1
Saskatchewan Crop Insurance	5	12
Saskatchewan Gaming Corporation	0	2
Saskatchewan Government Insurance		
General	21	20
Auto Fund	32	33
Claims Division		
General	110	148
Other Claims	30	0
Personal Injury Protection Plan	24	47
Saskatchewan Institute of Applied Science & Technology (SIAST)	2	18
Saskatchewan Property Management Corporation	4	2
Saskatchewan Transportation Company	2	1
Saskatchewan Water Corporation	6	5
SaskEnergy	65	67
SaskPower	143	92
SaskTel	79	80
Agencies		
Legislative Assembly	1	0
Saskatchewan Assessment Management Agency	2	1
Saskatchewan Cancer Agency	0	1
Saskatchewan Liquor and Gaming Authority		
General	1	1
Liquor & Gaming Licensing Commission	0	4
Saskatchewan Police Complaints Investigator	1	7
Saskatchewan Research Council	0	1
Wascana Rehabilitation Centre	1	0
Women's Secretariat	1	0
Totals	**2,435**	**2,327**

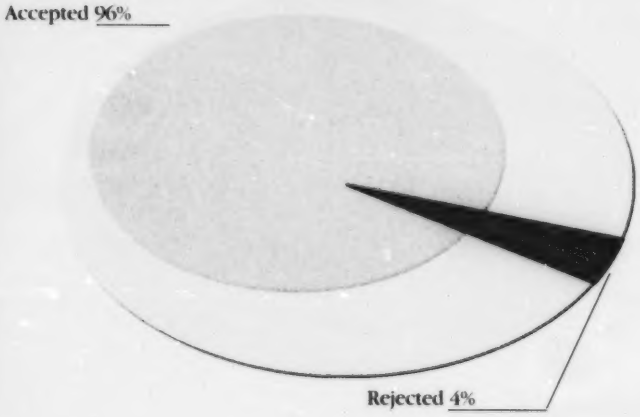
Complaints RECEIVED Against Saskatchewan Departments, Boards, Commissions, Crown Corporations, and Agencies - 2001

Departments, Boards, Commissions, Crown Corporations, and Agencies	2001 Total	2000 Total
Crown Corporations		
Agricultural Credit Corporation of Saskatchewan	1	2
Crown Investment Corporation	1	0
New Careers Corporation	1	1
Saskatchewan Economic Development Corporation	0	1
Saskatchewan Crop Insurance	5	12
Saskatchewan Gaming Corporation	0	2
Saskatchewan Government Insurance		
General	21	20
Auto Fund	32	33
Claims Division		
General	110	148
Other Claims	30	0
Personal Injury Protection Plan	24	47
Saskatchewan Institute of Applied Science & Technology (SIAST)	2	18
Saskatchewan Property Management Corporation	4	2
Saskatchewan Transportation Company	2	1
Saskatchewan Water Corporation	6	5
SaskEnergy	65	67
SaskPower	143	92
SaskTel	79	80
Agencies		
Legislative Assembly	1	0
Saskatchewan Assessment Management Agency	2	1
Saskatchewan Cancer Agency	0	1
Saskatchewan Liquor and Gaming Authority		
General	1	1
Liquor & Gaming Licensing Commission	0	4
Saskatchewan Police Complaints Investigator	1	7
Saskatchewan Research Council	0	1
Wascana Rehabilitation Centre	1	0
Women's Secretariat	1	0
Totals	**2,435**	**2,327**

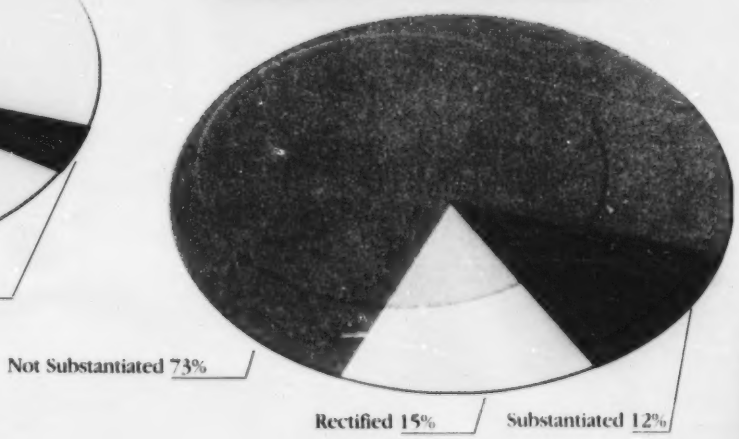
Complaints Received by Department or Agency 2001



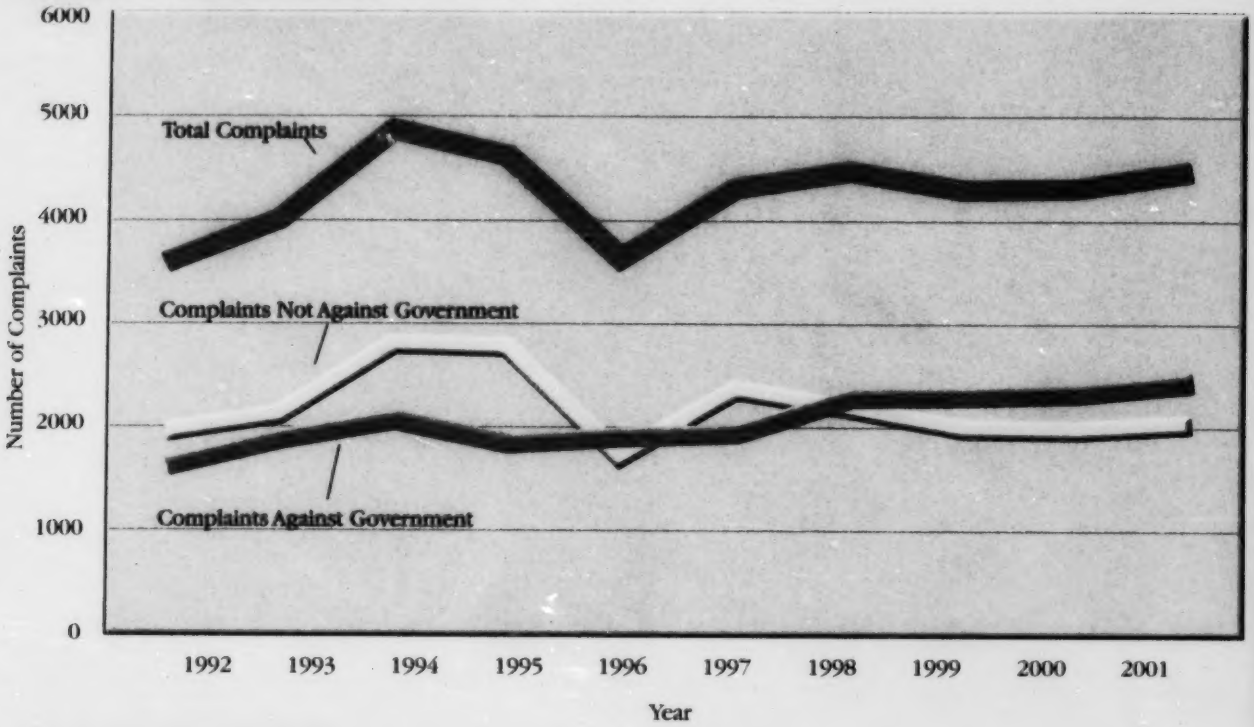
Recommendations to Government 2001



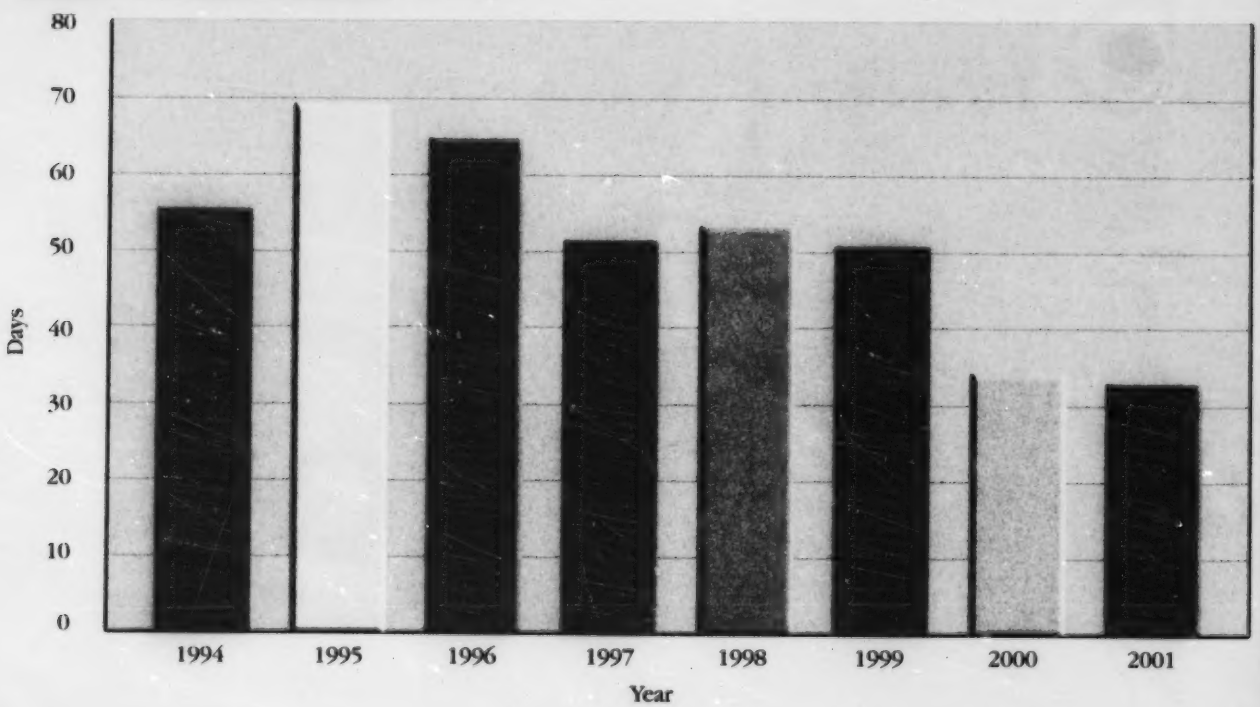
Results of Complaints 2001



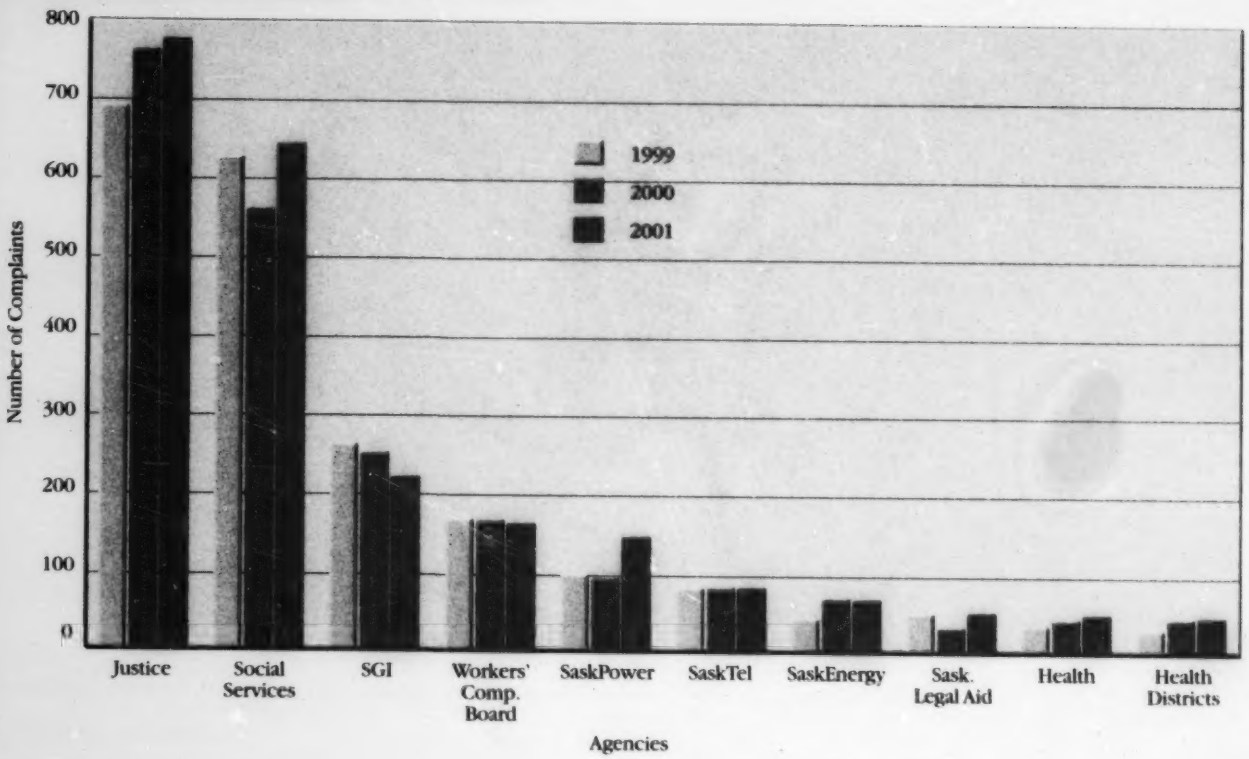
Total Complaints Received 1992 - 2001



Average Days Files Open 1994-2001



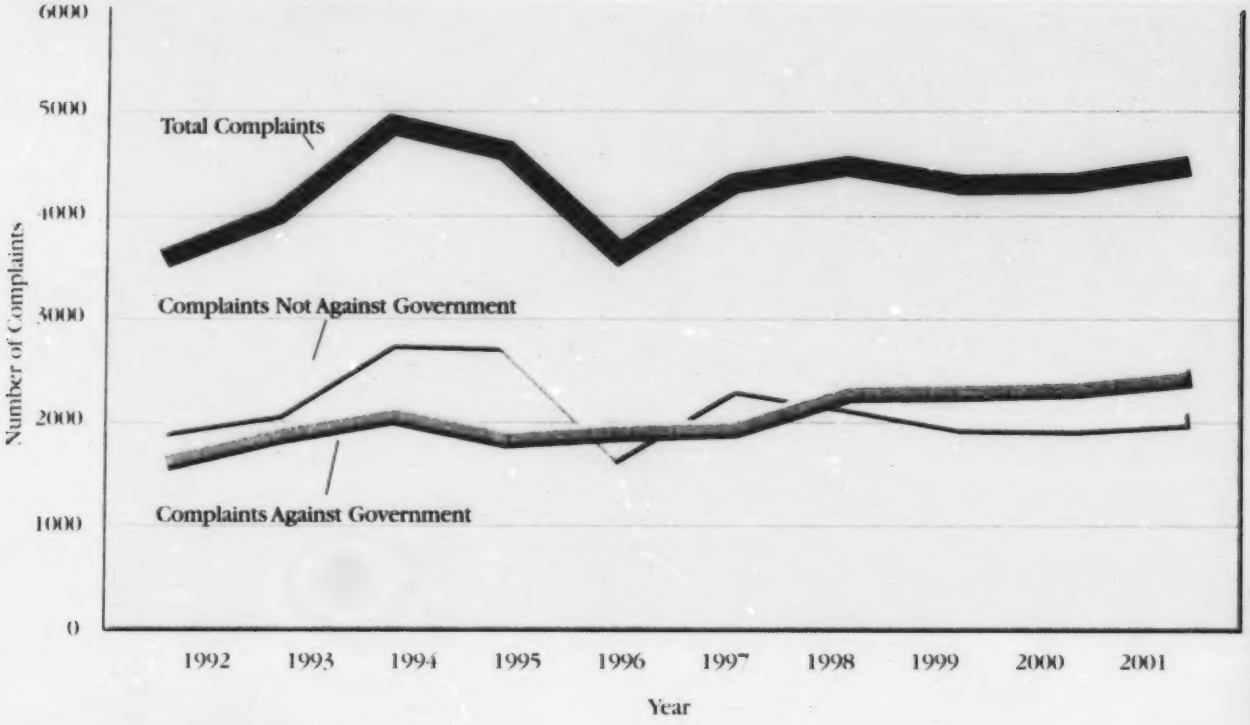
Top Ten Agencies 1999 - 2001



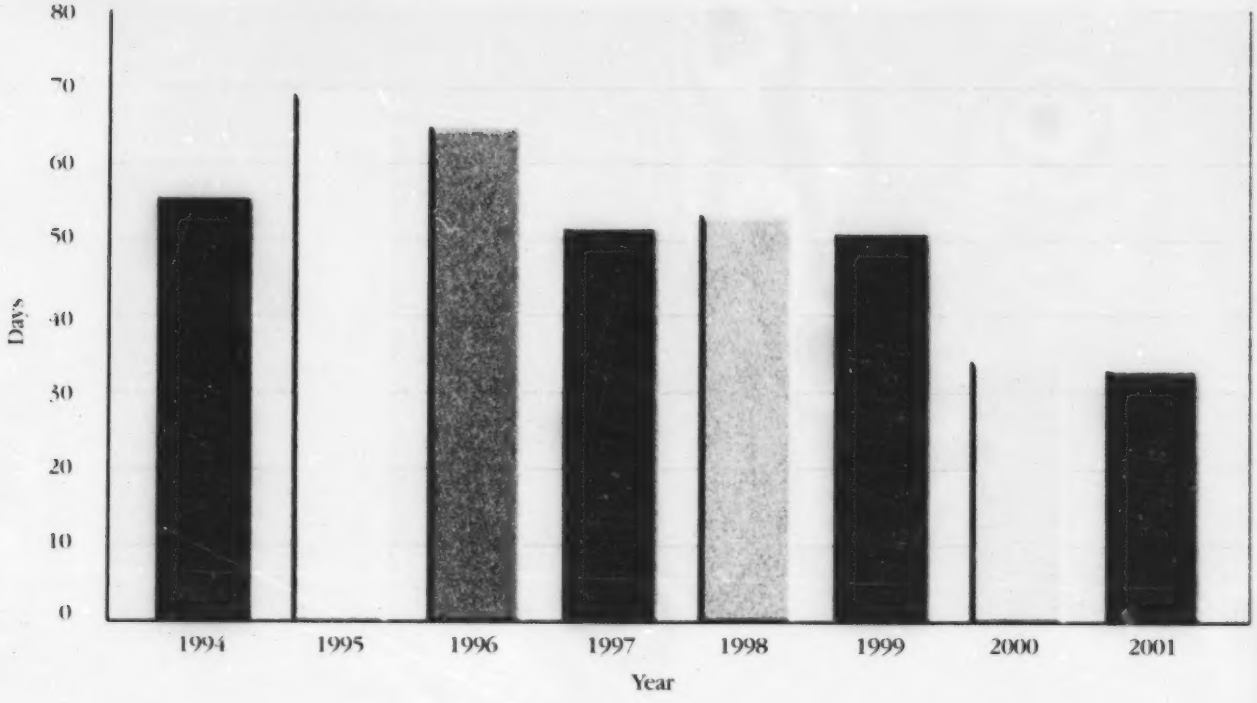
2001
Complaints Other Than Against Saskatchewan Departments, Boards, Commissions, Crown Corporations, and Agencies

Category	Regina	Saskatoon	Total	%
Children's Advocate Referrals	26	31	57	2.8
Consumer	190	258	448	22
Courts/Legal	62	114	176	8.6
Family	6	28	34	1.7
Federal	137	196	333	16.3
First Nations	0	3	3	.2
Local Government	53	82	135	6.6
Medical	14	28	42	2.1
Other	470	226	696	34.1
Private	51	31	82	4.0
Professional	10	23	33	1.6
Totals	**1,019**	**1,020**	**2,039**	**100**

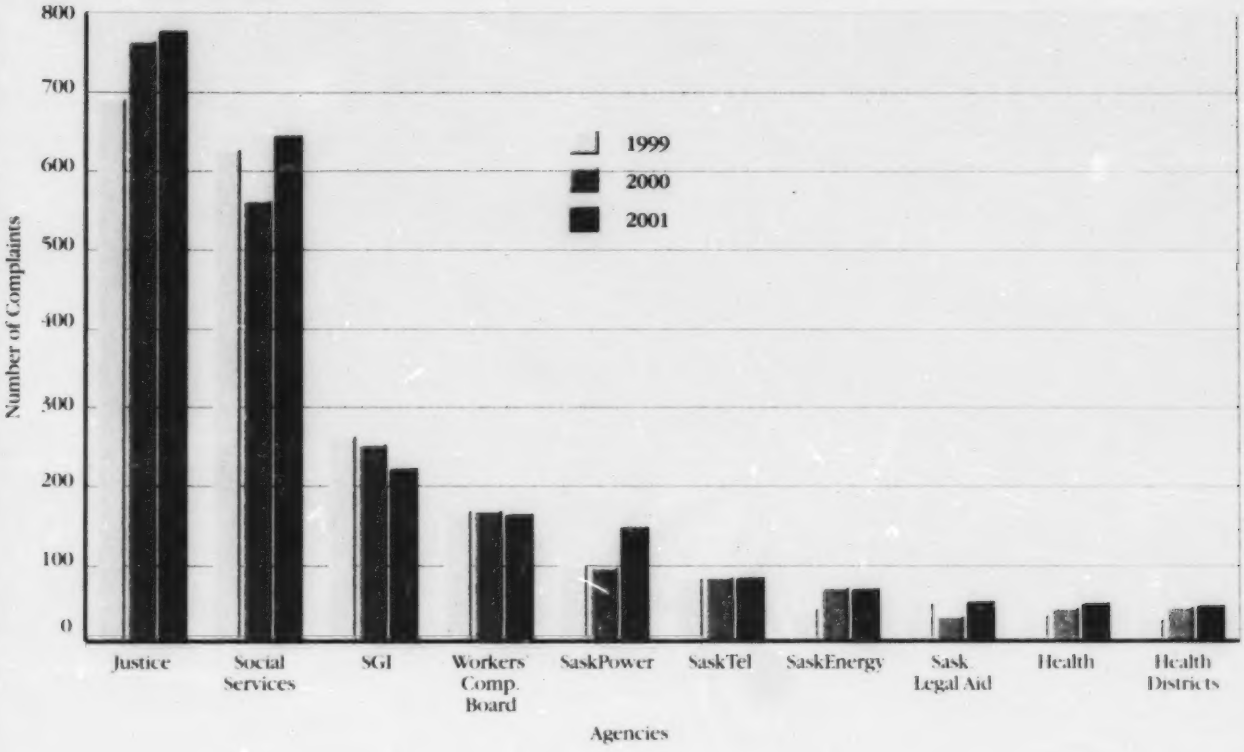
Total Complaints Received 1992 - 2001



Average Days Files Open 1994-2001



Top Ten Agencies 1999 - 2001



2001
Complaints Other Than Against Saskatchewan Departments, Boards, Commissions, Crown Corporations, and Agencies

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Medical	14	28	42	2.1
Other	470	226	696	34.1
Private	51	31	82	4.0
Professional	10	23	33	1.6
Totals	**1,019**	**1,020**	**2,039**	100

Complaints CLOSED Against Saskatchewan Departments, Boards, Commissions, Crown Corporations, and Agencies - 2001

Departments, Boards, Commissions, Crown Corporations, and Agencies	Not Substantiated	Resolved	Assistance Rendered	Alternative Case Resolution	Other	2001 Total	2000 Total
Departments							
Agriculture & Food							
Agriculture & Food							
General	-	1	3	-	-	4	6
Inspection & Regulatory Management Branch	-	-	-	-	-	0	6
Lands Branch	-	-	1	-	-	1	6
Education							
General	1	-	-	2	3	6	5
Energy & Mines	-	-	-	1	-	1	1
Environment & Resource Management							
General	2	-	3	2	6	13	14
Enforcement & Compliance Branch	-	-	-	-	-	0	1
Environmental Assessment Branch	-	-	-	-	-	0	2
Environmental Protection Branch	-	-	-	-	-	0	3
Fish & Wildlife Branch	-	-	-	-	-	0	3
Finance							
General	-	-	4	-	3	7	4
Public Employees' Benefits Agency	2	2	-	-	4	8	7
Revenue Division	-	-	-	-	-	0	5
Saskatchewan Pension Plan	-	-	-	-	-	0	1
Health							
General	4	6	12	5	5	32	8
Acute & Emergency Services Branch	-	-	-	-	-	0	2
Community Care Branch	-	-	-	2	2	4	11
Drug Plan & Extended Health Benefits Branch	3	-	7	-	2	12	11
Medical Services & Health Registration Branch	-	-	-	-	-	0	7
Provincial Laboratory Services	-	-	-	-	-	0	1
Vital Statistics	-	-	-	-	-	0	2
Highways & Transportation							
General	2	-	5	1	2	10	4
Operations Division	-	-	-	-	-	0	4
Intergovernmental & Aboriginal Affairs	-	-	-	-	-	0	2

Complaints CLOSED Against Saskatchewan Departments, Boards, Commissions, Crown Corporations, and Agencies - 2001

Departments, Boards, Commissions, Crown Corporations, and Agencies	Not Substantiated	Resolved	Assistance Rendered	Alternative Case Resolution	Other	2001 Total	2000 Total
Departments							
Justice							
General	1	-	5	-	3	9	10
Consumer Protection Branch	1	-	1	1	1	4	2
Coroner's Office Branch	-	1	1	-	-	2	1
Corporations Branch	-	-	-	-	1	1	4
Corrections Division							
General	1	1	3	-	1	6	3
Battlefords Community Correctional Centre	1	-	1	-	1	3	3
Community Operations Branch – Probation	-	-	5	-	2	7	11
Community Training Residences (CTR)	3	-	1	-	1	5	19
Northern Region (Besnard Lake, Buffalo Narrows, Waden Bay)	3	-	7	-	1	11	7
Pine Grove Correctional Centre	1	5	40	-	12	58	56
Prince Albert Correctional Centre	16	10	69	3	20	118	120
Prince Albert Healing Lodge	-	-	2	-	-	2	3
Regina Correctional Centre	19	25	61	-	47	152	174
Saskatoon Correctional Centre	19	29	135	5	30	218	200
Court Services Branch	-	-	8	1	2	11	17
Land Titles	-	-	1	-	2	3	4
Maintenance Enforcement Office	2	3	58	4	5	72	84
Mediation Services Branch	-	-	-	-	-	0	1
Public Prosecutions	-	-	-	1	-	1	1
Public Trustee	2	-	8	8	3	21	11
Rentalsman/Provincial Mediation Board	4	1	10	1	5	21	19
Labour							
Labour Relations & Mediation Division	-	-	-	-	-	0	3
Labour Standards Branch	1	-	10	-	1	12	10
Occupational Health & Safety Division	-	-	2	-	-	2	2
Office of the Worker's Advocate	-	-	1	-	-	1	1
Municipal Affairs & Housing							
General	-	-	-	-	4	4	13
Housing Division	-	3	7	-	7	17	4

Complaints CLOSED Against Saskatchewan Departments, Boards, Commissions, Crown Corporations, and Agencies - 2001

Departments, Boards, Commissions, Crown Corporations, and Agencies	Not Substantiated	Resolved	Assistance Rendered	Alternative Case Resolution	Other	2001 Total	2000 Total
Departments							
Agriculture & Food							
Agriculture & Food							
General	-	1	3	-	-	4	6
Inspection & Regulatory Management Branch	-	-	-	-	-	0	6
Lands Branch	-	-	1	-	-	1	6
Education							
General	1	-	-	2	3	6	5
Energy & Mines	-	-	-	1	-	1	1
Environment & Resource Management							
General	2	-	3	2	6	13	14
Enforcement & Compliance Branch	-	-	-	-	-	0	1
Environmental Assessment Branch	-	-	-	-	-	0	2
Environmental Protection Branch	-	-	-	-	-	0	3
Fish & Wildlife Branch	-	-	-	-	-	0	3
Finance							
General	-	-	4	-	3	7	4
Public Employees' Benefits Agency	2	2	-	-	4	8	7
Revenue Division	-	-	-	-	-	0	5
Saskatchewan Pension Plan	-	-	-	-	-	0	1
Health							
General	4	6	12	5	5	32	8
Acute & Emergency Services Branch	-	-	-	-	-	0	2
Community Care Branch	-	-	-	2	2	4	11
Drug Plan & Extended Health Benefits Branch	3	-	7	-	2	12	11
Medical Services & Health Registration Branch	-	-	-	-	-	0	7
Provincial Laboratory Services	-	-	-	-	-	0	1
Vital Statistics	-	-	-	-	-	0	2
Highways & Transportation							
General	2	-	5	1	2	10	4
Operations Division	-	-	-	-	-	0	4
Intergovernmental & Aboriginal Affairs	-	-	-	-	-	0	2

Complaints CLOSED Against Saskatchewan Departments, Boards, Commissions, Crown Corporations, and Agencies - 2001

Departments, Boards, Commissions, Crown Corporations, and Agencies	Not Substantiated	Resolved	Assistance Rendered	Alternative Case Resolution	Other	2001 Total	2000 Total
Departments							
Justice							
General	1	-	5	-	3	9	10
Consumer Protection Branch	1	-	1	1	1	4	2
Coroner's Office Branch	-	1	1	-	-	2	1
Corporations Branch	-	-	-	-	1	1	4
Corrections Division							
General	1	1	3	-	1	6	3
Battlefords Community Correctional Centre	1	-	1	-	1	3	3
Community Operations Branch – Probation	-	-	5	-	2	7	11
Community Training Residences (CTR)	3	-	1	-	1	5	19
Northern Region (Besnard Lake, Buffalo Narrows, Waden Bay)	3	-	7	-	1	11	7
Pine Grove Correctional Centre	1	5	40	-	12	58	56
Prince Albert Correctional Centre	16	10	69	3	20	118	120
Prince Albert Healing Lodge	-	-	2	-	-	2	3
Regina Correctional Centre	19	25	61	-	47	152	174
Saskatoon Correctional Centre	19	29	135	5	30	218	200
Court Services Branch	-	-	8	1	2	11	17
Land Titles	-	-	1	-	2	3	4
Maintenance Enforcement Office	2	3	58	4	5	72	84
Mediation Services Branch	-	-	-	-	-	0	1
Public Prosecutions	-	-	-	1	-	1	1
Public Trustee	2	-	8	8	3	21	11
Rentalsman/Provincial Mediation Board	4	1	10	1	5	21	19
Labour							
Labour Relations & Mediation Division	-	-	-	-	-	0	3
Labour Standards Branch	1	-	10	-	1	12	10
Occupational Health & Safety Division	-	-	2	-	-	2	2
Office of the Worker's Advocate	-	-	1	-	-	1	1
Municipal Affairs & Housing							
General	-	-	-	-	4	4	13
Housing Division	-	3	7	-	7	17	4

Complaints CLOSED Against Saskatchewan Departments, Boards, Commissions, Crown Corporations, and Agencies - 2001

Departments, Boards, Commissions, Crown Corporations, and Agencies	Not Substantiated	Resolved	Assistance Rendered	Alternative Case Resolution	Other	2001 Total	2000 Total
Departments							
Post-Secondary Education & Skills Training							
General	-	1	3	-	3	7	8
Institutions Branch	-	-	-	-	-	0	1
Provincial Training Allowance	-	-	-	-	1	1	2
Student Financial Assistance Unit	3	2	17	2	3	27	13
Training & Development Programs Unit	-	-	-	1	-	1	4
Social Services							
General	-	-	2	-	2	4	3
Adoption Branch	-	-	-	-	-	0	2
Building Independence Program	1	3	6	1	1	12	24
Child Day Care Division	-	-	2	-	-	2	1
Community Living Division	-	-	1	-	-	1	4
Family & Youth Services Division	-	3	17	5	7	32	54
Income Security Program	7	41	472	18	41	579	470
Valley View Centre	-	-	-	-	-	0	1
Young Offenders Program Branch	-	-	1	-	-	1	3
Boards							
District Health Boards							
Assiniboine Valley District Health Board	-	-	1	-	-	1	0
Battlefords District Health Board	-	-	2	3	2	7	9
East Central District Health Board	-	-	1	-	-	1	1
Living Sky District Health Board	-	-	-	-	-	0	1
Lloydminster District Health Board	-	-	-	-	-	0	1
District Health Boards							
Mamawetan-Churchill District Health Board	-	-	-	-	1	1	0
Melfort North Central District Health Board	-	-	-	2	-	2	0
Moose Jaw-Thunder Creek District Health Board	-	-	-	1	-	1	1
North-East District Health Board	-	-	-	-	-	0	2
Parkland District Health Board	-	-	-	-	-	0	1
Pipestone District Health Board	-	-	1	-	-	1	2
Prince Albert District Health Board	-	-	1	1	-	2	0
Regina District Health Board	-	1	4	1	2	8	15
Rolling Hills District Health Board	-	-	-	-	-	0	1
Saskatoon District Health Board	-	1	7	1	2	11	7
South Central District Health Board	-	-	-	-	-	0	1
South East District Health Board	-	-	-	-	-	0	1

Complaints CLOSED Against Saskatchewan Departments, Boards, Commissions, Crown Corporations, and Agencies - 2001

Departments, Boards, Commissions, Crown Corporations, and Agencies	Not Substantiated	Resolved	Assistance Rendered	Alternative Case Resolution	Other	2001 Total	2000 Total
Boards							
District Health Boards							
Swift Current District Health Board	-	-	1	-	1	2	1
Weyburn District Health Board	-	-	1	-	1	2	0
Yorkton District Health Board	-	-	1	-	-	1	0
Farm Land Security Board	-	-	-	1	-	1	0
Highway Traffic Board	1	2	2	1	1	7	3
Labour Relations Board	-	-	-	-	1	1	0
Lands Appeal Board	-	-	-	-	-	0	1
Municipal Housing Authority							
General	-	-	1	-	-	1	2
Beauval Housing Authority	-	1	-	-	1	2	0
Buffalo Narrows Regional Housing Authority	2	-	-	-	-	2	1
Creighton Housing Authority	-	-	1	-	-	1	0
Cumberland House Housing Authority	-	-	2	-	-	2	0
Dundurn Housing Authority	-	-	-	1	-	1	0
Estevan Housing Authority	-	-	-	-	-	0	1
La Loche Housing Authority	-	-	4	1	7	12	1
Manor Housing Authority	-	-	-	-	-	0	1
Melville Housing Authority	-	-	1	-	-	1	1
Moose Jaw Housing Authority	-	-	-	-	1	1	0
Prince Albert Housing Authority	-	-	-	-	1	1	1
Raymore Housing Authority	-	-	-	1	-	1	0
Regina Housing Authority	-	-	-	-	-	0	3
Sandy Bay Housing Authority	-	-	1	-	1	2	0
Saskatoon Housing Authority	-	-	3	-	2	5	3
Tantallon Housing Authority	2	-	-	-	-	2	0
Weyburn Housing Authority	-	-	-	-	-	0	2
Rates Appeal Board	-	-	-	-	-	0	2
Saskatchewan Arts Board	-	-	-	-	-	0	2
Saskatchewan Municipal Board							
Assessment Appeals Committee	2	-	-	-	-	2	4
Social Services Appeal Board	8	-	1	1	2	12	12
Water Appeal Board	-	-	-	-	1	1	0
Workers' Compensation Board	10	8	109	5	15	147	169
Commissions							
Public Service Commission	-	-	-	-	2	2	5
Saskatchewan Human Rights Commission	1	-	3	-	2	6	6
Saskatchewan Legal Aid Commission	5	4	22	1	11	43	33
Saskatchewan Securities Commission	1	-	-	-	-	1	0
Teacher's Superannuation Commission	-	-	-	1	1	2	0

Complaints CLOSED Against Saskatchewan Departments, Boards, Commissions, Crown Corporations, and Agencies - 2001

Departments, Boards, Commissions, Crown Corporations, and Agencies	Not Substantiated	Resolved	Assistance Rendered	Alternative Case Resolution	Other	2001 Total	2000 Total
Departments							
Post-Secondary Education & Skills Training							
General	-	1	3	-	3	7	8
Institutions Branch	-	-	-	-	-	0	1
Provincial Training Allowance	-	-	-	-	1	1	2
Student Financial Assistance Unit	3	2	17	2	3	27	13
Training & Development Programs Unit	-	-	-	1	-	1	4
Social Services							
General	-	-	2	-	2	4	3
Adoption Branch	-	-	-	-	-	0	2
Building Independence Program	1	3	6	1	1	12	24
Child Day Care Division	-	-	2	-	-	2	1
Community Living Division	-	-	1	-	-	1	4
Family & Youth Services Division	-	3	17	5	7	32	54
Income Security Program	7	41	472	18	41	579	470
Valley View Centre	-	-	-	-	-	0	1
Young Offenders Program Branch	-	-	1	-	-	1	3
Boards							
District Health Boards							
Assiniboine Valley District Health Board	-	-	1	-	-	1	0
Battlefords District Health Board	-	-	2	3	2	7	9
East Central District Health Board		-	1	-	-	1	1
Living Sky District Health Board	-	-	-	-	-	0	1
Lloydminster District Health Board	-	-	-	-	-	0	1
District Health Boards							
Mamawetan-Churchill District Health Board	-	-	-	-	1	1	0
Melfort North Central District Health Board	-	-	-	2	-	2	0
Moose Jaw-Thunder Creek District Health Board	-	-	-	1	-	1	1
North-East District Health Board	-	-	-	-	-	0	2
Parkland District Health Board	-	-	-	-	-	0	1
Pipestone District Health Board	-	-	1	-	-	1	2
Prince Albert District Health Board	-	-	1	1	-	2	0
Regina District Health Board	-	1	4	1	2	8	15
Rolling Hills District Health Board	-	-	-	-	-	0	1
Saskatoon District Health Board	-	1	7	1	2	11	7
South Central District Health Board	-	-	-	-	-	0	1
South East District Health Board	-	-	-	-	-	0	1

Complaints CLOSED Against Saskatchewan Departments, Boards, Commissions, Crown Corporations, and Agencies - 2001

Departments, Boards, Commissions, Crown Corporations, and Agencies	Not Substantiated	Resolved	Assistance Rendered	Alternative Case Resolution	Other	2001 Total	2000 Total
Boards							
District Health Boards							
Swift Current District Health Board	-	-	1	-	1	2	1
Weyburn District Health Board	-	-	1	-	1	2	0
Yorkton District Health Board	-	-	1	-	-	1	0
Farm Land Security Board	-	-	-	1	-	1	0
Highway Traffic Board	1	2	2	1	1	7	3
Labour Relations Board	-	-	-	-	1	1	0
Lands Appeal Board	-	-	-	-	-	0	1
Municipal Housing Authority							
General	-	-	1	-	-	1	2
Beauval Housing Authority	-	1	-	-	1	2	0
Buffalo Narrows Regional Housing Authority	2	-	-	-	-	2	1
Creighton Housing Authority	-	-	1	-	-	1	0
Cumberland House Housing Authority	-	-	2	-	-	2	0
Dundurn Housing Authority	-	-	-	1	-	1	0
Estevan Housing Authority	-	-	-	-	-	0	1
La Loche Housing Authority	-	-	4	1	7	12	1
Manor Housing Authority	-	-	-	-	-	0	1
Melville Housing Authority	-	-	1	-	-	1	1
Moose Jaw Housing Authority	-	-	-	-	1	1	0
Prince Albert Housing Authority	-	-	-	-	1	1	1
Raymore Housing Authority	-	-	-	1	-	1	0
Regina Housing Authority	-	-	-	-	-	0	3
Sandy Bay Housing Authority	-	-	1	-	1	2	0
Saskatoon Housing Authority	-	-	3	-	2	5	3
Tantallon Housing Authority	2	-	-	-	-	2	0
Weyburn Housing Authority	-	-	-	-	-	0	2
Rates Appeal Board	-	-	-	-	-	0	2
Saskatchewan Arts Board	-	-	-	-	-	0	2
Saskatchewan Municipal Board							
Assessment Appeals Committee	2	-	-	-	-	2	4
Social Services Appeal Board	8	-	1	1	2	12	12
Water Appeal Board	-	-	-	-	1	1	0
Workers' Compensation Board	10	8	109	5	15	147	169
Commissions							
Public Service Commission	-	-	-	-	2	2	5
Saskatchewan Human Rights Commission	1	-	3	-	2	6	6
Saskatchewan Legal Aid Commission	5	4	22	1	11	43	33
Saskatchewan Securities Commission	1	-	-	-	-	1	0
Teacher's Superannuation Commission	-	-	-	1	1	2	0

Complaints CLOSED Against Saskatchewan Departments, Boards, Commissions, Crown Corporations, and Agencies - 2001

Departments, Boards, Commissions, Crown Corporations, and Agencies	Not Substantiated	Resolved	Assistance Rendered	Alternative Case Resolution	Other	2001 Total	20 To
Crown Corporations							
Agricultural Credit Corporation of Saskatchewan	-	-	-	-	1	1	
Crown Investment Corporation	-	-	-	-	1	1	
Corporations							
New Careers Corporation	-	-	1	-	-	1	
Saskatchewan Crop Insurance	2	-	2	-	2	6	
Saskatchewan Economic Development Corporation	-	-	-	-	-	0	
Saskatchewan Gaming Corporation	-	-	-	-	-	0	
Saskatchewan Government Insurance							
General	3	-	14	3	2	22	
Auto Fund	3	3	16	2	9	33	
Claims Division							
General	17	5	83	4	15	124	1
Other Claims	2	1	12	2	9	26	
Personal Injury Protection Plan	-	-	18	3	5	26	
Saskatchewan Institute of Applied Science & Technology (SIAST)	2	-	-	-	1	3	
Saskatchewan Property Management Corporation	-	-	-	2	2	4	
Saskatchewan Transportation Company	-	1	1	-	-	2	
Saskatchewan Water Corporation	-	2	2	2	3	9	
SaskEnergy	-	10	30	5	17	62	
SaskPower	9	18	67	10	36	140	
SaskTel	6	15	35	8	15	79	
Agencies							
Legislative Assembly	-	-	1	-	-	1	
Saskatchewan Assessment Management Agency	-	-	-	1	1	2	
Saskatchewan Cancer Agency	1	-	-	-	-	1	
Saskatchewan Liquor & Gaming Authority							
General	-	-	1	-	-	1	
Liquor & Gaming & Licensing Commission	-	-	-	-	-	0	
Saskatchewan Police Complaints Investigator	2	-	-	-	1	3	
Saskatchewan Research Council	-	-	-	-	-	0	
Wascana Rehabilitation Centre	-	-	1	-	-	1	
Women's Secretariat	-	-	1	-	-	1	
Totals	**178**	**209**	**1,448**	**127**	**412**	**2,374**	**2,**

Complaints CLOSED Against Saskatchewan Departments, Boards, Commissions, Crown Corporations, and Agencies - 2001

Departments, Boards, Commissions, Crown Corporations, and Agencies	Not Substantiated	Resolved	Assistance Rendered	Alternative Case Resolution	Other	2001 Total	2000 Total
Crown Corporations							
Agricultural Credit Corporation of Saskatchewan	-	-	-	-	1	1	2
Crown Investment Corporation	-	-	-	-	1	1	0
Corporations							
New Careers Corporation	-	-	1	-	-	1	1
Saskatchewan Crop Insurance	2	-	2	-	2	6	13
Saskatchewan Economic Development Corporation	-	-	-	-	-	0	1
Saskatchewan Gaming Corporation	-	-	-	-	-	0	2
Saskatchewan Government Insurance							
General	3	-	14	3	2	22	18
Auto Fund	3	3	16	2	9	33	32
Claims Division							
General	17	5	83	4	15	124	147
Other Claims	2	1	12	2	9	26	0
Personal Injury Protection Plan	-	-	18	3	5	26	45
Saskatchewan Institute of Applied Science & Technology (SIAST)	2	-	-	-	1	3	15
Saskatchewan Property Management Corporation	-	-	-	2	2	4	2
Saskatchewan Transportation Company	-	1	1	-	-	2	1
Saskatchewan Water Corporation	-	2	2	2	3	9	7
SaskEnergy	-	10	30	5	17	62	65
SaskPower	9	18	67	10	36	140	93
SaskTel	6	15	35	8	15	79	83
Agencies							
Legislative Assembly	-	-	1	-	-	1	0
Saskatchewan Assessment Management Agency	-	-	-	1	1	2	1
Saskatchewan Cancer Agency	1	-	-	-	-	1	0
Saskatchewan Liquor & Gaming Authority							
General	-	-	1	-	-	1	1
Liquor & Gaming & Licensing Commission	-	-	-	-	-	0	4
Saskatchewan Police Complaints Investigator	2	-	-	-	1	3	3
Saskatchewan Research Council	-	-	-	-	-	0	1
Wascana Rehabilitation Centre	-	-	1	-	-	1	0
Women's Secretariat	-	-	1	-	-	1	0
Totals	**178**	**209**	**1,448**	**127**	**412**	**2,374**	**2,323**

Ombudsman
SASKATCHEWAN

Provincial Ombudsman

For Immediate Release
July 9, 2002

SASKATCHEWAN OMBUDSMAN TABLES 2001 ANNUAL REPORT

Saskatchewan's Ombudsman, Barbara Tomkins, has called for amendments to *The Ombudsman and Children's Advocate Act* to enable her office to do its work more effectively and efficiently. Among eleven proposals set out in her 2001 Annual Report, tabled in the Legislature today, she suggests the creation of an all-party committee on the Ombudsman, a clearer statement of her office's jurisdiction, limitations on the use of the word "ombudsman" and a fixed non-renewable term of office for the ombudsman.

"These and the other amendments put forward for consideration would allow the office to better focus its energies on our most important work and allow legislators and the public a clearer view of that work," Tomkins said.

The Annual Report discloses that complaints continue to increase. The office received a record 2,435 complaints against provincial government departments, boards, commissions and agencies – a 4.5% increase over 2000. Notwithstanding that increase, the report shows that the time taken to complete investigations was further decreased during 2001 to about 33 days.

The report includes summaries of a variety of cases that the Ombudsman considered during the year 2001. In some cases, she found that government acted unfairly and government agreed and rectified its error. In others, the government agency declined to accept her recommendations. Overall, however, the report reflects positively on Saskatchewan's government. Case summaries show that the government, for example:

- extended extraordinary health insurance benefits to a man with an extraordinary injury;
- paid the costs for necessary repairs that were not identified during a vehicle inspection;

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- dealt quickly and appropriately with a complaint suggesting insensitive actions at a correctional centre;
- expanded payment of its recreation allowance for care home residents; and
- corrected an inequity that resulted when a crown corporation pension plan was converted.

Overall, the Ombudsman reported, 96% of her recommendations were accepted and implemented.

For more information, please contact:

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Ombudsman

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